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November 5, 2018

VIA OVERNIGHT MAIL AND EMAIL

Christopher Saporita, Esq.
Office of General Counsel
U.S. Environmental Protection Agency – Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

RE: Norlite, LLC Administrative Order: EPA Docket No. CAA-02-2016-1004

Dear Mr. Saporita:

As a follow-up to our recent meeting, Norlite, LLC (Norlite) and Young/Sommer have reviewed their records with the goal of identifying additional information relating to the allegations in the above-referenced Administrative Order that Norlite violated various operating parameter limits (OPLs and/or "operating window") established under 40 CFR Part 63, subpart EEE at its facility in Cohoes, New York (the "Facility").

As set forth in greater detail below, the New York State Department of Environmental Conservation (DEC) traditionally regulated air emissions from the Facility under both the Facility's hazardous waste permit (issued pursuant to 6 NYCRR Part 373) and the air program (in particular, 40 CFR Part 63, subpart EEE). During the period covered by the above-referenced Administrative Order, Norlite's operations were regulated under a hazardous waste permit—issued in 2008—that contained OPLs derived from a 2004 comprehensive performance test (CPT) conducted to fulfill Norlite's obligations under both the hazardous waste and Subpart EEE programs. Although Norlite conducted a CPT in 2011 to establish new OPLs under Subpart EEE, DEC and Norlite continued to implement the OPLs in the 2008 hazardous waste permit until 2015 when DEC issued a new hazardous waste permit that no longer contained air emission

limits. This history explains why a comparison of operating data for 2012-2014 with the 2011 CPT OPLs appears to show noncompliance since the comparison is based on a different set of the OPLs than those that were actually in effect during the relevant period.

History of Part 373/MACT Interface

The issues raised by the Administrative Order have their origins in a long-running dilemma relating to DEC's coordination of air emissions requirements under the Facility's hazardous waste and air programs. Norlite's hazardous waste permit traditionally included limits on air emissions (i.e., OPLs) based on Resource Conservation and Recovery Act (RCRA) trial burns. Norlite's first Title V permit—issued in 2002—included numerous permit conditions derived from Norlite's then-current hazardous waste permit despite Norlite's objections to this practice in its comments on the draft permit. Norlite appealed the 2002 Title V permit which was not replaced until late 2015. Over the course of the lengthy permit review, Norlite reiterated its objections to including Part 373-based conditions in its Title V air permit. In addition, Norlite emphasized the importance of achieving consistency between the Part 373 and Title V permits whenever possible. In a March 18, 2003 letter to DEC, Norlite specifically declared that "[u]nless an effort is made to ensure that the provisions of the two permits are similar, if not identical, Norlite will be faced with the difficult (and unnecessary) task of ensuring compliance with two different sets of standards." The letter went on to identify specific problems raised by the dual permitting regime and suggest possible ways of addressing those problems.

During the same period, Norlite also raised concerns about the process of incorporating OPLs established by CPT into the Title V permit. In a July 2, 2004 letter, for example, Norlite's consultant identified this issue and proposed a strategy for ensuring that OPLs became part of the Title V permit. Likewise, in its October 24, 2008 comments on the then-current draft renewal of the Title V permit, Norlite encouraged DEC to revise the draft permit "to reflect the results of the CPT and so ensure consistency between the facility's hazardous waste and air permits." (Relevant correspondence covering the period from 2002 through 2008 is attached as Exhibit A.)

As the documents attached at Exhibit A indicate, Norlite and the DEC were well aware from the outset of the Title V process of the difficulties posed by maintaining two permits covering the same air emissions as well as the need to ensure that permit limits were consistent and properly updated to reflect changes following CPTs. In 2015 (after 13 years of review/revision), DEC finally issued a new Title V permit that eliminated the dilemma/conflict by removing all OPLs from the Part 373 permit and setting OPLs solely under 40 CFR Part 63, subpart EEE.

Establishment/Implementation of OPLs of Concern

A. EPA Allegations

EPA's Administrative Order contends that Norlite violated the following OPLs for Kiln 1 and Kiln 2 during the period from 2012 to 2014:

- Maximum heat exchanger exit temperature: 436 degrees Fahrenheit;
- Minimum venturi scrubber pressure drop: 6.1 inches of water column;

- Minimum venturi scrubber tank level: 58% tank height;
- Minimum venturi scrubber liquid to gas ratio: 4.9 gallons of scrubber liquid per 1,000 cubic feet of gas flow.

According to EPA, these OPLs were based on the results of a 2011 CPT. In fact, as set forth below, during the 2012-2014 period covered by the Administrative Order, DEC required Norlite to implement the 2004 CPT operating window incorporated into and required by the 2008 Part 373 permit.

B. 2004 CPT and 2008 Hazardous Waste Permit

Norlite conducted a CPT in 2004 to fulfill its obligations under both the Part 373 hazardous waste regulations and 40 CFR Part 63, subpart EEE. (A 2006 comment sheet summarizing the CPT test results is included as Exhibit B). After extensive negotiations with DEC concerning the NOC, DEC issued a revised hazardous waste permit in 2008 that contained alarm set points and AWFCO limits that were based on the 2004 CPT results. (A copy of relevant pages from the 2008 hazardous waste permit is attached as Exhibit C.) With respect to the specific parameters identified in the Administrative Order, the 2008 Part 373 permit included the following limits:

- Maximum heat exchanger outlet temperature: 448 degrees Fahrenheit (alarm set point); 453 degrees Fahrenheit (AWFCO limit).
- Minimum venturi scrubber pressure drop: 3.5 inches of water column (alarm set point); 2.9 inches of water column (AWFCO limit).

Although the Part 373 permit did not contain specific OPLs for the remaining two parameters identified in the Administrative Order (scrubber tank level and liquid to gas ratio), Norlite implemented OPLs for those parameters derived from the 2004 CPT (as shown in Exhibit B) during its day-to-day operation as outlined below.

C. Compliance with Applicable OPLs

In April 2011, three years after the 2008 hazardous waste permit was issued, Norlite submitted to DEC a CPT report and NOC that included new potential OPLs for the kilns (the 2011 CPT operating window). This created a dilemma/choice regarding which operating window to implement (i.e., the 2004 CPT operating window or the 2011 CPT operating window). An operating window is implemented by setting alarm set point limits and AWFCO limits to enforce the OPLs. DEC elected to enforce the OPLs in the 2008 hazardous waste permit for all parameters covered by that permit until 2015 when DEC issued a new hazardous waste permit that, among other things, eliminated all OPLs from the hazardous waste permit. At the same time, DEC issued a new Title V permit that incorporated the OPLs from the 2011 CPT/NOC.

Upon information and belief, DEC enforced the OPLs from the 2008 hazardous waste permit (the 2004 CPT operating window) rather than 2011 CPT operating window because the 2004 CPT operating window was required by the 2008 hazardous waste permit and changing the limits would have required modifying the permit to include new alarm set points and AWFCO limits. Such a permit modification could potentially have been classified as a major modification under 6 NYCRR Part 621, subjecting the application to public comment and perhaps an adjudicatory hearing.

During the period covered by the Administrative Order, Norlite's activities with respect to the four parameters at issue in the Administrative Order—exit temperature, pressure drop, tank liquid level and liquid to gas ratio—were governed by the OPLs set by the 2004 CPT and incorporated into the 2008 hazardous waste permit. Then, as now, Norlite was required to conduct monthly tests to confirm that the AWFCOs were operating properly—i.e., that the waste feed was being cut off at or before the applicable OPL. These test results were documented on "WFCO Testing Parameters" sheets. (A sample sheet is attached as Exhibit D.) During the relevant period, these sheets included maximum heat exchange exit temperature and minimum venturi scrubber pressure drop limits from the 2008 Part 373 permit (derived from the 2004 CPT) as well as tank liquid levels and liquid to gas ratios from the 2004 CPT.

The WFCO Testing Parameters sheets listing the applicable OPLs were maintained on site and were available for review by DEC's on-site monitor. In addition, Norlite submitted exceedance reports to DEC whenever it experienced 25 or more AWFCOs during a 30-day period. These reports analyzed each AWFCO to determine the cause and identify the corrective action implemented. If the number of AWFCOs exceeded 50 in 30 days, the information was submitted to a third-party engineer for analysis and the results supplied to DEC for review. DEC required strict compliance with AWFCOs and was demanding this additional information in order to help reduce the frequency of AWFCOs. In addition to the enhanced reporting obligations and the full time on-site monitor, DEC staff conducted periodic inspections of the Facility during the relevant period to assess compliance with all applicable requirements, including the hazardous waste permit/programs and Subpart EEE.

Norlite's CPT plan for the test conducted in 2015 included Tables labeled "Current MACT OPLs for the Norlite LWAK Combustion Systems" and "Current MACT OPLs for the LWAK Air Pollution Control Systems" that included the maximum heat exchange exit temperature and minimum venturi scrubber pressure drop limits from the 2008 Part 373 permit as well as the tank liquid levels and liquid to gas ratio from the 2004 CPT. The plan containing these limits was eventually approved by DEC in a letter dated July 9, 2015, confirming that operations at the Facility were governed by the OPLs in the 2004 CPT (as incorporated in the 2008 hazardous waste permit) and that these OPLs satisfied Norlite's obligations under Subpart EEE. (Copies of relevant sections of the November 18, 2014 CPT plan, the June 29, 2015 Revision, and DEC approval letter is attached as Exhibit E.)

Factors that may have affected DEC's determination to enforce the 2004 CPT operating window rather than the 2011 operating window are identified below:

- Consistent with the previous discussion, having issued a Part 373 hazardous waste permit containing OPLs from the 2004 CPT, DEC could not change those limits without formally modifying the 2008 hazardous waste permit, an extremely complex and time consuming process. No such modification was ever made. Absent such a modification, Norlite was compelled to comply with the requirements in the Part 373 permit.
- Norlite could not reasonably be expected to adhere to two different operating windows for the same parameter since the alarms and AWFCOs must necessarily be set at single set point per parameter. Accordingly, Norlite could not comply simultaneously with both the limits in the 2004 CPT and those in the 2011 CPT.

- Having completed the 2011 CPT, Norlite could not feasibly comply with some but not all of the OPLs established during the test. CPTs are carefully designed to identify the conditions under which a facility can operate while ensuring compliance with applicable emission limits. The tests establish a broad "operating window" that is implemented via a series of parameter-specific OPLs that function as a unit. It is not possible to mix and match OPLs from two different CPTs since the conditions of each CPT used to set limits are generally different. In this case, because DEC had already incorporated the OPLs from the 2004 CPT into Norlite's 2008 hazardous waste permit, DEC could not realistically ask Norlite to also comply with the 2011 OPLs since doing so would significantly complicate operation and/or result in unnecessary AWFCOs.

The circumstances outlined above show that Norlite did not operate outside the applicable parameters as alleged by EPA. As an example, the Order declares that based on its analysis of production and operational data supplied by Norlite for 2012-2014, EPA determined that Kiln 1 and Kiln 2 were operated while burning hazardous waste for approximately 1,589,299 hourly average periods (rolled each minute) with the venturi pressure drop below the minimum operating parameter limit of 6.1 inches of water column contained in the 2011 CPT. Given how closely Norlite monitors its operations—and the level of oversight provided by DEC—it is virtually impossible for this type of noncompliance to have occurred without being detected by Norlite or DEC. As outlined above, during the period in question, the Facility was subject to (and the AWFCOs were set in accordance with) the 2004 CPT , as embodied in the 2008 hazardous waste permit, which set a pressure drop OPL of 2.9 inches of water column not the 6.1 inches of water column limit identified in the Administrative Order. The alarms and AWFCO set points were established consistent with the 2.9 inch limit.

Similarly, the Administrative Order contends that Norlite operated for approximately 1,828,032 hourly average periods (rolled each minute) with the venturi scrubber tank level below the minimum 58% of tank height established by the 2011 NOC. In fact, however, the tank height minimum implemented during that time for the AWFCO was 43%. As a result, periods when the tank height was between 43% and 58% were identified as noncompliant for purposes of the Order when in fact Norlite was operating in accordance with the 2004 CPT operating window.

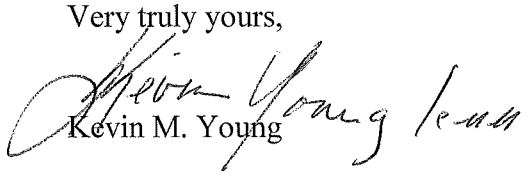
Conclusion

As the above summary shows, during the period in question, Norlite was subject to the OPLs established in the 2004 CPT and incorporated into the 2008 hazardous waste permit and not those in the 2011 CPT. To the extent EPA disagrees with DEC's approach to implementing the hazardous waste and Subpart EEE programs, it would be grossly unfair to punish Norlite for doing nothing more than adhering to the compliance regime established by/with DEC. During the time period in question, DEC was the agency responsible for implementing both the Part 373 permit program and the key components of New York's air program. In that capacity, DEC made certain decisions regarding how to administer those two overlapping programs, including how best to establish and administer the OPLs for the kilns. While Norlite is aware that EPA retains authority to oversee implementation of the Subpart EEE program, it should not punish Norlite for failing to comply with OPLs that DEC—in its capacity as a delegated permitting authority—concluded should not apply. This is particularly true given that Norlite could not practically comply both with the terms of its Part 373 permit and the 2011 CPT simultaneously.

Note also that key events underlying this action occurred many years ago. Most of the individuals involved in these matters are no longer employed at Norlite and many documents potentially relevant to the issues raised are no longer available. Norlite is continuing its investigation of the issues raised in the Order and reserves the right to supplement this response as additional information becomes available.

We would welcome the opportunity to discuss the issues raised in this letter with you. Please call or email at your convenience to arrange a time.

Very truly yours,



Kevin M. Young

Enclosures

EXHIBIT "A"

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June 28, 2002

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Clarke
Regional Permit Administrator
New York State Department of
Environmental Conservation
Region 4
1150 North Westcott Road
Schenectady, NY 12306

RE: Norlite Corporation Title V Permit
Notice of Appeal
DEC Facility No. 4-0103-0016/00048

Dear Mr. Clarke:

This letter constitutes a Notice of Appeal of the final Title V Air Permit issued to Norlite Corporation (Norlite), Cohoes, New York, by the New York State Department of Environmental Conservation (DEC). The permit became effective June 6, 2002 and was received by Norlite by regular mail on June 10, 2002.

As set forth in the attached Summary of Issues on Appeal, the final permit contains many permit conditions that are out-of-date, duplicative and/or otherwise unacceptable to Norlite. In several instances, DEC included in the permit conditions which Department staff had earlier indicated in writing would be deleted. The permit also does not reflect recent changes to the federal hazardous waste combustor standards. Norlite believes that these and other issues contained in the Summary of Issues on Appeal must be addressed if the permit is to be acceptable and enforceable.

Although Norlite's concerns about the final Title V permit are extensive, the company believes that most, if not all, of them can be resolved following additional discussions with Department staff. DEC made Norlite's draft Title V permit available for formal public comment

without first giving a copy to the company for review, as is DEC's practice. As a consequence, the draft upon which Norlite commented (and which formed the basis for the final permit) was somewhat "rough". Moreover, as Department staff is aware, the most important underlying regulation, the federal emission standards for hazardous waste combustors, has undergone substantial changes, making development of a complete and up-to-date Title V permit difficult. These factors no doubt contributed to the problems with the final permit identified in the attachment. With additional discussions, we hope and believe that these problems can be resolved. Accordingly, I urge Department staff to call me upon receipt of this letter to arrange a meeting.

Many thanks in advance for your cooperation. If you have any questions regarding this letter or the attachment, please do not hesitate to call.

Very truly yours,

Elizabeth M. Morss

Attachment

cc: Tim Lachell
Bill Morris

SUMMARY OF ISSUES ON APPEAL
NORLITE CORPORATION
TITLE V AIR PERMIT – EFFECTIVE DATE JUNE 6, 2002
DEC FACILITY NO. 4-0103-0016/00048

Below are the issues on appeal relating to the Title V Air Permit, effective June 6, 2002, issued to Norlite Corporation (Norlite), Cohoes, New York, by the New York State Department of Environmental Conservation (DEC or the Department). This document is divided into three sections. Section I provides a brief background summary relating to the Norlite permit. Section II summarizes general issues relating to the Title V permit. Section III contains comments on specific conditions in the Title V permit.

Note that these comments are confined to the facility-specific portion of the permit and do not address the general permit conditions included by DEC in all Title V permits. Norlite remains concerned about certain of these conditions and urges DEC to consider revising them consistent with the comments contained in its October 19, 2001 submission. Also, we have not corrected typographical and other similar errors in the permit.

I. Background.

Norlite submitted its Title V air permit application to DEC in December 1997. DEC published notice of the draft permit in the Environmental Notice Bulletin on September 19, 2001. The Department did not provide Norlite with a version of the draft permit for review prior to the formal public comment period, in a departure from Department practice. Norlite provided extensive comments to the Department on the draft permit in the form of a letter dated October 19, 2002 from its consultant Peter Desrochers, formerly of ENSR. Shortly thereafter, DEC air engineer Peter Empie met with representatives of Norlite to discuss the comments. Peter Desrochers subsequently submitted a letter summarizing the agreements reached at the meeting. Norlite never received a formal responsiveness summary from the Department addressing its comments and had no further communications with Department staff on the Title V permit until April 2002 when a representative of Norlite encountered a member of the Region 4 Division of Air Staff at a training program. At that time, the DEC staff person indicated that the permit was in the final stages of EPA review and agreed, at Norlite's request, to provide the company with a copy of its response to Norlite's comments. William Clarke subsequently e-mailed DEC's response to Norlite's comments to Tim Lachell at Norlite on April 18, 2002. The e-mail indicated that many of Norlite's key objections had been addressed and that DEC had deleted various conditions objected to by Norlite. Norlite received the final Title V permit by regular mail on June 10, 2002. Our review showed that many of the changes committed to by DEC had not been made and that other new conditions had been added.

During the period between issuance of the draft and final Title V permits, the primary federal regulation governing hazardous waste combustion underwent several revisions. That regulation is 40 CFR Part 63, Subpart EEE, Standards for Hazardous Air Pollutants for Hazardous Waste Combustors. *See* 66 Fed. Reg. 63313 (Dec. 6, 2001) (extending compliance date one year to September 30, 2003), 67 Fed. Reg. 6792 (Feb. 13, 2002) (revising standards for emissions of mercury and hydrochloric acid and chlorine gas from lightweight aggregate kilns,

and revising compliance monitoring, performance testing, and other requirements); and 67 Fed. Reg. 6968 (Feb. 14, 2002) (amending compliance, testing and monitoring requirements).

II. General Comments.

- ***Incorporation of recent NESHAP revisions.*** The final Title V permit does not include changes to the Subpart EEE hazardous waste combustor NESHAP, which include increases in the mercury and hydrochloric acid/chlorine gas limits for hazardous waste combustors at lightweight aggregate facilities. These new limits, and the new monitoring, testing and other requirements, must be included in Norlite's Title V permit.

- ***Omission of general NESHAP/NSPS requirements.*** In its original comments, Norlite expressed concern that the draft permit did not include applicable general requirements contained in 40 CFR Part 63, Subpart A (NESHAP) and 40 CFR Part 60, Subpart A (New Source Performance Standards or NSPS). The Department did not respond directly to this comment in its April 18, 2002 e-mail, although a few of these requirements are in the draft permit. These general conditions include notification, monitoring, reporting, recordkeeping and other requirements applicable to all sources regulated under the NESHAP and NSPS programs and should be a part of Norlite's Title V permit. With respect to 40 CFR Part 63, Subpart A, the relevant provisions are listed in Table 1 to Subpart EEE. Norlite is concerned that if these provisions are not part of its Title V permit, the company will lose the protection of the permit shield in the event a dispute arises between EPA/DEC and Norlite concerning compliance with these provisions.

- ***Incorporation of Part 373 Conditions into Title V Permit.*** In its October 19, 2001 comments, Norlite questioned the validity of incorporating any permit limit derived from the facility's Part 373 permit as a federally enforceable permit condition in the Title V permit. These conditions are already in force under the Part 373 permit and their appearance in the Title V permit is unnecessary and inappropriate. This argument is stronger in the wake of EPA's adoption of the NESHAP requirements, which contemplate the eventual elimination of air emissions from regulation under the hazardous waste program. DEC did not respond to this general comment in its April 18, 2002 e-mail.

  This issue is of crucial importance to Norlite. Including Part 373 permit conditions in Norlite's Title V permit leads to unnecessary duplication. Moreover, the programs serve different purposes and operate differently. As a result, permit conditions that are readily implemented under Part 373 may not be appropriate as part of a Title V permit. To the extent DEC believes that it must regulate emissions from the kiln under Part 212, the emission standards developed should reflect the purposes and approach of Part 212; DEC should not simply import conditions from the Part 373 permit wholesale, without regard to whether they are appropriate under Part 212. Also, most Part 212 conditions relating to the kiln should "sunset" once the Subpart EEE NESHAP becomes effective.

- ***Omission of certain Subpart EEE requirements.*** The permit does not include any reference to several key applicable requirements of Subpart EEE These include, but are

not necessarily limited to: 40 CFR 63.1207(f)-(m), which contain requirements relating to the conduct of performance tests, including content of plan, operating conditions during testing, time extensions, etc.; 40 CFR 1208, test methods; and 40 CFR 63.1209(a)-(i), (p), and (q) relating to compliance monitoring. The only mention of these provisions is a general cross-reference to Sections 1207, 1208, and 1209 found in the "Monitoring Description" section of each of the NESHAP emission limits. Again, Norlite is concerned that this omission will deprive them of the protection of the permit shield.

- ***Reporting date.*** The final permit requires Norlite to submit its first semi-annual report on July 30, 2002 for virtually all permit conditions. As previously noted, however, the Subpart EEE NESHAP provisions do not become effective until September 30, 2003. Accordingly, Norlite should not be required to report on, or otherwise certify compliance with, Subpart EEE-related permit conditions until January 30, 2004 (the first semi-annual reporting deadline after the NESHAP compliance deadline).

- ***Compliance deadline for Subpart DD sources.*** The permit identifies the initial compliance date for Subpart DD sources as September 30, 2003. To the best of our knowledge, these regulations became effective in 1996; EPA did not extend the compliance deadline as part of the December 2001 Subpart EEE rulemaking. Accordingly, the effective date for Subpart DD sources is the effective date of the permit (i.e., June 6, 2002).

III. Comments on Specific Permit Conditions.

- ***Facility SIC Code.*** The SIC code in Norlite's permit is incorrect. The correct code is SIC 3295.

- ***Permit Condition 23, Item 23.3, Description of EU M-ISCES.*** Consistent with changes previously made by the Department elsewhere in the permit, the reference to "future screen, conveyor and pelletizer" should be deleted.

- ***Permit Condition 24, Annual Reporting (6 NYCRR 201-6.5(c)(3)(ii)).*** A large section of text is missing from the end of the "Monitoring Description" section of this condition that must be added back in.

- ***Permit Condition 32 – Opacity (6 NYCRR 212.6(a)).*** This condition requires daily opacity checks for all emission sources at the facility. As noted in Norlite's October 19, 2001 comments, this requirement should not apply to fugitive, exempt, trivial and other similar sources for which Method 9 is not appropriate. Method 9 is typically intended for use in measuring plume opacity from confined emission points such as stacks, vents, buildings or structures; it is not necessarily appropriate for quantifying emissions from fugitive sources such as storage piles and transfer operations. To address this problem, Norlite requests that DEC amend the permit to delete Permit Condition 32 and replace it with opacity conditions applicable to specific emission units and emission points to which it applies (rather than making it a facility-wide permit condition).

In addition, the condition requires Norlite to conduct daily visible emission observations and to note whether emissions are greater than 20%. However, only a trained smoke reader can make a judgment concerning the quantity of opacity. For purposes of the initial check, a simple observation is all that should be required, with a Method 9 conducted only if corrective measures to address opacity problems identified during the initial check are not effective. Consistent with this suggestion, Norlite proposes that DEC revise the "Monitoring Description" of the Part 212.6(a) opacity condition as follows. NOTE: New text is contained in brackets; existing text proposed to be deleted is marked with strikeouts:

> No person shall cause or allow emissions having an average opacity during any six minutes of 20 percent or greater from any process emission source, except only the emission of [un]combined water.
>
> The facility owner/operator shall conduct a visible emissions observation (determining the presence or absence of visible emissions) ~~of all emission points and/or emission sources~~ once per day, during daylight hours, except during conditions of extreme weather (fog, snow, rain).
>
> If [visible emissions above those that are normal are detected] ~~any instantaneous observations of visible emissions noted are greater than 20%~~, (except the emission of uncombined water) the owner/operator shall determine the cause and implement appropriate corrective measures. . . [KEEP REMAINING TEXT AS IS].

This approach is consistent with that approved by DEC in other Title V air permits.

- ***Permit Condition 35 – Sulfur in Fuel Limits (6 NYCRR 225-1.2(a)(2)).*** As indicated in our previous comments, Norlite burns both residual and distillate oil. *See* Permit Condition 23, Item 23.2, which indicates that Norlite burns No. 4 and 6 fuel oil. However, the Title V permit only contains sulfur-in-fuel limits for distillate oil. As requested in Norlite's previous comments, this condition must be revised (or a new permit condition added) to include sulfur-in-fuel limits for residual oil as well as distillate oil.

- ***Permit Condition 36 – Waste Fuel (6 NYCRR 225-2.7).*** The "Monitoring Description" should be revised to delete the last sentence, which prohibits the facility from burning waste fuel type B. Norlite's hazardous waste would be considered "waste fuel type B" and therefore barred under this condition. Although the purpose of this provision is presumably to prohibit Norlite from burning waste fuel type B as nonhazardous waste, as written, it could be misinterpreted. To eliminate any ambiguity, the sentence noted above must deleted.

- ***Permit Condition 42 – Air Emission Standards for Equipment, Tanks, etc. (40 CFR 63.1205(e)).*** Section 63.1205(e), which required compliance with 40 CFR Part 264, Subpart BB, was deleted by EPA in its February 13, 2002 rulemaking. Accordingly, this permit condition must be deleted.

- ***Permit Condition 43, Notification (40 CFR 63.1210).*** This permit condition must be revised to reflect the changes to Section 63.1210 adopted by EPA in its February 14, 2002 rulemaking.

- ***Permit Condition 46, Item 46.16.*** As noted in our October 16, 2001 comments, the design capacity of emission source HWOT4 in Item 46.16 is incorrect. It should be changed from 27,675 to 22,700 gallons.

- ***Permit Condition 48 – Operating Requirements (40 CFR 63.1206(c)).*** This permit condition should be revised to specify that the permittee must "comply with all applicable operational requirements as per 63.1206(c)" to clarify that compliance is required only with conditions applicable to lightweight aggregate kilns.

- ***Permit Condition 49 – Operator Training and Certification (40 CFR 63.1206(c)(6)).*** As noted in our October 16, 2001 comments, this provision should be deleted. Among other things, these requirements already are included under Permit Condition 48 above; more important, the provision as currently drafted does not include all of the personnel training requirements of Section 63.1206(c)(6) and is therefore inaccurate. If DEC believes it is essential that operator training and certification be addressed in a separate permit condition, this permit condition must be revised to include *all* relevant language in 40 CFR 63.1206(c)(6).

- ***Permit Condition 50 – Compliance with NESHAP Standards (40 CFR 63.1206(b)).*** This permit condition must be revised to reflect the changes to Section 63.1206(b) adopted by EPA in its February 13, 2002 and February 14, 2002 rulemakings. Among other things, it should be amended to include the alternative mercury provisions found in 40 CFR 63.1206(b)(15).

- ***Permit Condition 52, Notification of Compliance (40 CFR 63.1209).*** DEC should confirm whether the June 30, 2003 deadline for submitting a notification of compliance is still valid in light of the recent rulemaking extending the effective date of the Subpart EEE NESHAP to September 30, 2003 and revise the Monitoring Description as necessary.

- ***Permit Condition 53, Submission of Final NIC (40 CFR 63.1210).*** As noted in Norlite's October 16, 2002 comments, the deadline for compliance with this one-time requirement passed some time ago. Accordingly, this provision should be deleted.

- ***Permit Condition 55 – ESV Report (40 CFR 63.1211).*** The Monitoring Description requires the permittee to submit a report to DEC within five days of an ESV opening "that results in noncompliance with the emission standards of this subpart, as defined by

40 CFR 63.1206(c)(4)*(iv)*." However, the standards are, in fact, found in 63.1206(c)(4)*(i)*. This reference should be corrected.

- ***Permit Condition 58 – Recordkeeping/Reporting (40 CFR 63.1211).*** This permit condition, which was added in response to Norlite's comments, must be revised to reflect the changes to Section 63.1211 adopted by EPA in its February 14, 2002 rulemaking. Also, it appears that text has been unintentionally omitted from the "Monitoring Description" section of this condition. Finally, DEC must confirm that the permit conditions relating to reporting, which also arise under 40 CFR 63.1211, reflect EPA's recent regulatory changes and that all of the applicable reporting requirements have been included in the permit.

  Permit Condition 59 – Recordkeeping (40 CFR 63.1211). This provision is a duplicate of Permit Condition 58 and must be deleted.

  Permit Conditions 61, 69, 70, and 97, NOx Limits for Kiln (6 NYCRR 212.10(c)). Permit Conditions 61, 69 and 70 establish essentially identical limits on NOx emissions from the kiln of 61 lbs. per hour from EU 00001; Permit Condition 97 establishes an identical limit for EU 00002. The only differences between Permit Conditions 61, 69 and 70 are the following: (1) Permit Condition 61 refers specifically to Process KNF; (2) Permit Condition 69 cites 6 NYCRR 212.10 instead of 212.10(c); and (3) Permit Conditions 69 and 70 specifically refer to Emission Unit 00001. To eliminate this redundancy, Norlite proposes that DEC delete Permit Conditions 61 and 69 and retain Permit Conditions 70 and 97.

- ***Permit Conditions 63 and 91, Sulfur Dioxide Limit for Kiln (6 NYCRR 212.3(b)).*** In its October 16, 2001 comments, Norlite objected to the inclusion of these limits on the ground that they are derived from Norlite's Part 373 permit and are unrelated to ambient air quality standards. Norlite went on to argue that unless a specific air regulation required installation of a CEMS for SO_2, this provision should be deleted in its entirety. In its April 18, 2002 e-mail, DEC staff indicated that these conditions had been removed from the permit. In fact, they have not.

  Norlite continues to believe quite strongly that the SO_2 limits contained in Permit Conditions 63 and 91 are not properly part of its Title V permit. In issuing the NESHAP regulation for hazardous waste combustors, EPA made clear that it intends to phase out air emission standards under RCRA. DEC, by incorporating hazardous waste-based permit conditions into Norlite's Title V air permit, is acting contrary to this principle. More important, 6 NYCRR 212.7 specifically exempts sulfur from fuel combustion from regulation under Part 212. In particular, that section provides that "process emission sources from which emissions of oxides of sulfur are attributable only to sulfur in fuel with respect to emissions of oxides of sulfur" are not subject to the provisions of Part 212. Under these circumstances, DEC has no legal basis for regulating SO_2 emissions from the kiln under Part 212. SO_2 emissions instead are regulated under 6 NYCRR Parts 225-1 and 225-2, which establish sulfur in fuel and other similar limits (see Permit Conditions 35 and 36).

With respect to the CEMS provision, DEC has offered no legal or scientific basis for this very expensive requirement. As previously noted, DEC regulates sulfur emissions associated with fuel combustion by limiting the sulfur content of fuel, making a CEMS unnecessary. Moreover, DEC has identified no specific law or regulation that requires the installation of a CEMS to monitor SO_2 emissions from its kiln. Under these circumstances, Norlite asks that DEC follow through with its commitment in its April 2002 e-mail and delete the CEMS requirement from the Title V permit.

- ***Permit Conditions 64, 65, 87, 88, 90, Hydrogen Chloride Standard (6 NYCRR 212.3(b)).*** These conditions establish control requirements for hydrogen chloride emissions under Part 212. In its previous comments, Norlite noted that Permit Conditions 64 and 87, which limit chlorine feed to the kiln to 73 pounds per hour, were based on Part 373 waste feed limits and that these limits may change with each DRE test. Accordingly, Norlite argued that these limits are not properly part of the facility's Title V air permit and should be deleted. In its April 18, 2002 e-mail, DEC agreed to delete the chlorine feed limits in Permit Conditions 64 and 87 from the permit. Norlite requests that DEC follow through with its commitment and delete these permit conditions, as well as Permit Condition 88, which also is derived from Norlite's Part 373 permit. This change will not leave hydrogen chloride unregulated. Emissions will be subject to limits under Permit Conditions 65 and 90 as well as under the NESHAP (once the program becomes effective in September 2003).

  Consistent with Norlite's October 19, 2001 comments, we continue to believe that any conditions relating to hydrogen chloride emissions belong in the state-enforceable section of the permit. These provisions regulate "air toxic" emissions (as distinguished from criteria contaminants such as VOCs or PM). As noted in past DEC guidance, requirements relating to non-criteria contaminants are enforceable only by the state (as they have not been approved by EPA for inclusion in New York's State Implementation Plan). See DEC, *State Implementation Plan Status of New York Regulations*, Draft Program Policy (Aug. 24, 2001). Accordingly, any permit conditions relating to hydrogen chloride should be moved to the state-enforceable section of the permit.

- ***Permit Conditions 66, 92, and 96, Chlorine Standard (6 NYCRR 212.3(b)).*** See comments regarding Permit Conditions 64, 65, etc. above with regard to federal vs. state enforceability. Also, the "Monitoring Frequency" in Permit Condition 66 should be revised from "Monthly" to "As Required – See Monitoring Description" since only a portion of the required monitoring is, in fact, performed monthly. Note that as with hydrogen chloride, chlorine emissions will be further regulated once the Subpart EEE NESHAP becomes effective.

- ***Permit Conditions 67, 93 and 94, Thermal Design Capacity Standard (6 NYCRR 212.4(b)).*** These provisions limit combustion to the design capacity of 62 mmBtu/hour. However, Section 212.4(b) does not specify Btu limits. In its October 19, 2001 comments, Norlite questioned DEC concerning the origins of these limits and requested that they be deleted. In its April 18, 2002 e-mail, DEC responded that these limits were

based on the Part 373 permit and that the conditions had been removed from the permit. In fact, as with Permit Condition 64 above, these limits have not been removed. Again, Norlite asks that DEC delete these limits since they are based on the facility's Part 373 permit and are not properly part of this Title V permit. Even if the thermal design capacity limits remain in the permit, Permit Condition 94 must be deleted since it is duplicative of Permit Condition 93.

- ***Permit Condition 68, Kiln Pressure/Pressure Drop (6 NYCRR 212.4(b)).*** This new permit condition provides as follows: "The fugitive emissions from the combustion zone and the back end of this kiln shall be controlled by continuously maintaining a negative kiln pressure less than – 0.05 inches and maintaining a baghouse pressure drop below 10.0 inches." This condition is based on Module 7, Condition (D)(3) of the facility's RCRA permit. However, the condition, as drafted does not accurately reflect the conditions in the RCRA permit. Among other things, the RCRA permit does not impose an absolute upper limit on baghouse pressure drop of 10.0 inches. Rather, the RCRA permit limit (which is actually 9.4 inches of water) merely represents a level above which additional monitoring may be required. This type of requirement is not properly part of Norlite's Title V permit and should be deleted. If DEC insists on including this provision in Norlite's permit, the Department must include the language from Norlite's Part 373 permit verbatim. Also, this condition should be relocated to the state-only section of the permit.

- ***Permit Conditions 72 and 99, NESHAP Mercury Limits (40 CFR 63.1205(a)(2)).*** Pursuant to EPA's February 13, 2002 rulemaking, the limit on mercury emissions from lightweight aggregate kilns has been increased from 47 ug/dscm to 120 ug/dscm. The new higher limit must be included in the permit.

- ***Permit Conditions 76 and 103, NESHAP Hydrocarbon Limits (40 CFR 63.1205(a)(5)(ii)).*** Section 63.1205(a)(5) establishes an option of compliance with either the CO limit under paragraph (i) or the hydrocarbon limit under paragraph (ii). Norlite has chosen to monitor CO (pursuant to Permit Conditions 75 and 102). Accordingly, the conditions establishing hydrocarbon limits are unnecessary, duplicative and must be deleted (consistent with DEC's commitment in its April 18, 2002 e-mail).

- ***Permit Conditions 77 and 104, NESHAP Hydrochloric Acid and Chlorine Gas Limits (40 CFR 63.1205(a)(6)).*** Pursuant to EPA's February 13, 2002 rulemaking, the limit on hydrochloric acid and chlorine gas emissions from lightweight aggregate kilns has been increased from 230 ppm to 600 ppm. The new higher limit must be included in the permit.

- ***Permit Conditions 79 and 106, Compliance with DRE standard (40 CFR 63.1205(c)(1)).*** These provisions should be revised to delete the reference in the "Monitoring Description" to 40 CFR 63.1203(c), which applies to hazardous waste incinerators only and not to lightweight aggregate kilns.

- ***Permit Conditions 81, 83, 108, and 110, Comprehensive Performance Tests (40 CFR 63.1207).*** Permit Conditions 81 and 108 appear to duplicate Permit Conditions 83 and 110, respectively, except that the former do not contain the changes recommended by Norlite in its October 19, 2001 comments and agreed to by the Department in its April 18, 2002 e-mail. To address this problem, Permit Conditions 81 and 108 should be deleted. The remaining permit conditions (Permit Conditions 83 and 110) must be revised to include the new provisions added by EPA in its recent rulemakings amending the NESHAP. Among other things, the "Monitoring Description" should be revised to add the exception to CPT monitoring found in 40 CFR 63.1207(d)(4)(i) adopted as part of the February 13, 2002 rulemaking. Also, the deadline for conducting the initial CPT should be changed to March 30, 2004 (to reflect the change in the compliance date). Finally, the item numbers in Permit Condition 110 are incorrect and must be revised.

- ***Permit Conditions 82, 84, 109, and 111, Confirmatory Performance Tests (40 CFR 63.1207).*** Permit Conditions 82 and 109 appear to duplicate Permit Conditions 84 and 111, respectively, except that the former do not contain the changes recommended by Norlite in its October 19, 2001 comments and subsequently agreed to by the Department in its April 18, 2002 e-mail. To address this problem, Permit Conditions 82 and 109 should be deleted. The remaining permit conditions (Permit Conditions 84 and 111) must be revised to include the new provisions added by EPA in its recent rulemakings amending the NESHAP. In particular, the "Monitoring Description" should be revised to add the exception to CT monitoring found in 40 CFR 63.1207(d)(4)(ii) adopted as part of the February 13, 2002 rulemaking. Also, Item 6 should be revised to reference 40 CFR 63.1207(e)(1)(ii) not 63.1207(d)(3).

- ***Permit Conditions 85 and 112, Compliance Progress Reports (40 CFR 63.1211).*** These conditions appear to be requiring Norlite to submit compliance progress reports required by 63.1211(b). As a preliminary matter, it is unclear to Norlite the precise origins of this requirement (since 63.1211(b) refers to recordkeeping not reporting, which is addressed in 63.1211(a)). 40 CFR 63.10(d)(4) requires the submission of compliance progress reports where a source seeks an extension of compliance. In this case, however, Norlite has not sought an individual extension; rather, the compliance deadline has been extended for all sources by rulemaking, making 63.10(d)(4) irrelevant. Finally, as noted in Norlite's earlier comments, the October 2001 deadline has passed. For these reasons, Norlite believes this provision must be deleted.

- ***Permit Conditions 86 and 113, Document of Compliance (40 CFR 63.1211(d)).*** The compliance deadline specified in the "Monitoring Description" must be extended to September 30, 2003 to conform to EPA's December 6, 2001 rulemaking.

- ***Permit Condition 95, Toxic metals limits (6 NYCRR 212.4(b)).*** This permit condition was not part of the draft permit nor was it mentioned in DEC's April 18, 2002 e-mail. The condition purports to require Norlite to control emissions of toxic metals from Emission Point 00002 by "limiting the total feed rate of each metal into the kiln." However, this condition does not provide any additional compliance assurance beyond that already provided by Permit Condition 136 and is therefore unnecessary and

duplicative. Moreover, consistent with the discussion of Permit Conditions 64, 65, etc. above, this permit condition belongs in the state enforceable section of the permit since it purports to limit emissions of toxic metals. As previously noted, Part 212 is not federally enforceable with respect to non-criteria pollutants.

- ***Permit Conditions 115, 128, Equipment leaks (40 CFR 63.683(b)(3)).*** In its comments, Norlite noted that this citation was incorrect and that there was no 63.683(b)(3) in the Subpart DD regulation. In response, DEC indicated in its April 2002 e-mail that these conditions were deleted from the permit and that two conditions under 63.683(d) were added instead. Consistent with that response, DEC must delete these conditions.

- ***Permit Condition 122, Process Vents (40 CFR 63.683(c)).*** The last section of the "Monitoring Description" is missing from the permit.

- ***Permit Conditions 123, 125, Process Vents (40 CFR 63.683(c)).*** Permit Condition 123 (which cites the wrong regulation) otherwise duplicates Permit Condition 125 and must be deleted.

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March 18, 2003

VIA FACSIMILE and REGULAR MAIL
William C. Clarke
Regional Permit Administrator
New York State Department of
Environmental Conservation
Region 4
1150 North Westcott Road
Schenectady, NY 12306

RE: Norlite Corporation Title V Permit
DEC # 4-0103-0015/00048.

Dear Mr. Clarke:

Enclosed is a chart summarizing the comments of Norlite Corporation (Norlite) concerning the revised Title V facility permit that you forwarded to us by letter dated January 7, 2003 (version "Mod 1/Active"). As indicated to you in our letter of January 30, 2003, Norlite was disappointed with the quality of the revised permit. Many basic problems with Norlite's existing permit, such as updating the conditions implementing the Subpart EEE MACT standards, simply were not addressed and several new problems (new permit conditions, duplicate general permit conditions) were added. Nevertheless, Norlite believes that a workable permit can be developed that addresses the issues raised by Norlite in its June 28, 2002 Notice of Appeal.

The enclosed chart represents an effort by Norlite to simplify the process of revising the Title V permit by identifying the changes needed, if any, for each permit condition. The chart, entitled "Norlite Corporation -- Cohoes, NY, Site Specific Federal and State Title V Permit Conditions (3/18/03)," contains four columns:

- **Column 1: Issued Permit Condition #; Citation; and Description of Requirement.** This column contains the permit condition number and title, the applicable requirement cited and, in most cases, a brief description of the permit condition as contained in Norlite's existing Title V permit, issued June 6, 2002.
- **Column 2: Emission Units; Process.** This column indicates the emission unit and process (as necessary) to which the permit condition applies.
- **Column 3: New Condition; Mod 1.** This column contains the condition in the revised Title V permit (Mod 1/Active) that corresponds to the condition listed in Column 1. Where a permit condition in Norlite's existing Title V was deleted from Mod 1/Active without a replacement, the word "Removed" appears in the column.
- **Column 4: Desired Revisions.** This column indicates what additional revisions to Mod 1/Active, if any, are necessary. Where an extended explanation of the requested change(s) is necessary, it can be found in the Notes accompanying the Table.

The Table presents the conditions in numerical order based on the existing Title V permit. Permit Conditions without a counterpart in Norlite's current permit are addressed at the end of the Table. The condition-specific comments concerning the permit are all addressed in the Table. Several broader comments/concerns are summarized below.

Notification of General Permittee Obligations.

As it has in other recently issued Title V permits, DEC has added a new section entitled "Notification of General Permittee Obligations," which contains federally enforceable permit conditions that do not require reporting or compliance certification. However, in adding this new section, DEC failed to delete the existing conditions in its Title V permit that they are intended to replace. To address this problem, the following duplicate permit conditions must be deleted: 1-10, 12, 14, 15, 17-22, 27, 28, 31, and 34. Portions of Permit Conditions 11 and 13 also must be deleted.

Incorporation of Subpart EEE Requirements.

As DEC is no doubt aware, EPA revised the Subpart EEE MACT requirements on several occasions in late 2001 and early 2002. For whatever reasons, none of these revisions have apparently been entered into DEC's AFS system, nor have they yet been included in Norlite's Title V permit (despite the fact that the revisions were adopted before Norlite's Title V permit was issued and despite Norlite's repeated requests that they be added). Many of the changes, such as the reduction in the emission limits for mercury and hydrochloric acid/chlorine gas, are quite significant. To prevent confusion regarding Norlite's obligations under Subpart EEE and its Title V permit, DEC *must* take whatever steps are necessary to ensure that all of the new requirements and deadlines in Subpart EEE are included in the revised Title V permit.

Initial Report Date.

Various Subpart EEE permit conditions (relating primarily to the emission limits under Subpart EEE) specify an initial report date of July 30, 2002. This date does not represent a specific reporting obligation under Subpart EEE; instead, it is simply the first date a Title V

semi-annual report was due under Norlite's existing permit. Rather than revise this date, we recommend that DEC simply delete it. Consistent with this suggestion, the initial report date should be deleted from the following permit conditions: 71, 73-75, 77-80, 98-102, 104-107.

Incorporation of Norlite's Part 373 Permit Requirements.

Norlite, like DEC, has struggled to determine the best way to conform the air emission standards contained in its existing Part 373 hazardous waste permit with the facility's Title V permit. Norlite continues to believe that the best approach is to omit the Part 373 requirements altogether from Norlite's Title V permit, on the theory that Norlite's kiln emissions already are thoroughly regulated under Part 373 and Subpart EEE, making their inclusion in the Title V permit unnecessary. However, the Department has made clear that it wants the Part 373 limits included in Norlite's Title V permit. This approach raises several concerns. Perhaps most important, is achieving consistency between the Part 373 and Title V permit whenever possible. Unless an effort is made to ensure that the provisions of the two permits are similar, if not identical, Norlite will be faced with the difficult (and unnecessary) task of ensuring compliance with two different sets of standards. The specific issues that must be addressed are outlined below.

Issue 1. Many of the limits in Norlite's Part 373 were established based on the results of a particular destruction removal efficiency (DRE) test. If a new DRE test is conducted during the permit term that yields different results, the limits in Norlite's Part 373 permit will change. Under these circumstances, if the current Part 373 emission limits are included in Norlite's Title V permit, the facility will be subject to two different sets of limits in the event a new DRE test is conducted and the Part 373 emission limits are revised based on that test.

> **Solution.** Ideally, the best approach to addressing this problem is to omit specific emission limits from the Title V permit and simply cross-reference the Part 373 permit conditions in the Title V permit. This would ensure that the Title V permit remains current with the Part 373 permit, regardless of whether the emission limits in the Part 373 change following a new DRE test. It is our understanding, however, that the Department believes that the Title V permit must include numerical emission limits to be enforceable (and that merely cross-referencing the Part 373 permit would not be sufficient). To address this issue Norlite has, for the most part, retained in the Title V permit the numerical limits derived from Norlite's Part 373 permit that the Department included in the draft revised permit; however, it has included specific references to the section of the Part 373 permit on which they are based to eliminate any possible confusion concerning the origins of the limits. Norlite also proposes that a new condition be added to the Title V permit which would compel DEC to commence a Title V permit modification if new permit limits are established under Norlite's Part 373 permit before the Title V permit expires. See the end of the accompanying Table for the proposed language.

Issue 2. Norlite currently is in the process of renewing its Part 373 permit. If the new permit is issued before the Title V permit expires, Norlite could potentially be subject to two different sets of permit conditions, one under the new Part 373 permit and one under the Title V permit (which are based on the old Part 373 permit).

Solution. Include in the Title V permit a condition that compels DEC to commence a Title V permit modification to incorporate any new Part 373 permit conditions and standards if the Part 373 permit is renewed before the Title V permit expires. See the end of the accompanying Table for the proposed language.

Issue 3. In previous comments to the Department, Norlite has objected to various permit conditions derived from the Part 373 permit because they did not accurately reflect the Part 373 requirements. In the course of paraphrasing the Part 373 conditions for inclusion in the Title V permit, Department staff changed the meaning of the condition in ways that arguably impose different requirements on Norlite.

Solution. For these conditions, Norlite has proposed specific language in the notes accompanying the chart to replace the conditions in the revised draft permit and/or has explained why the condition should be deleted.

Issue 4. As Department staff are aware, limits under Part 212 (general process emission sources) are federally enforceable for criteria contaminants only; limits on air toxics are enforceable only by the state. Although DEC has made some progress in the recent draft permit in relocating toxic-related limits under Part 212 to the state enforceable section of the permit, this task is not complete.

Solution. Include only Part 212 provisions relating to nitrogen oxides, sulfur dioxide and particulate in the federally enforceable section of the permit. Part 212 provisions relating to toxic metals (either individually or collectively), chlorine or hydrogen chloride must be included in the state enforceable section of the permit.

Conclusion

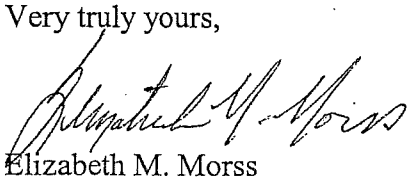
As you are aware, the history of this permit has been "rocky" at best. Norlite never received an advance copy of the original draft permit and thus was deprived of an important opportunity to correct major errors before the public comment period. Commitments by DEC both orally and in writing to address specific problems in the permit went unfulfilled and the permit was issued with numerous duplicate, out-dated or incorrect permit conditions. Norlite then was forced to wait more than six months from the date of its Notice of Appeal to receive a draft revised permit, despite commitments from Department staff that a permit would be available several weeks after a meeting in August 2002 to resolve the issues on appeal. The revised permit made available, although an improvement over the issued permit in several key ways, remains fraught with problems. Based on previous discussions with Department staff, it is our understanding that both DEC and Norlite agree about what changes need to be made. The issue is execution. Norlite has offered these condition-by-condition comments on the revised draft permit in the hopes of simplifying the task of revising the permit.

In the past, Peter Empie was responsible for managing Norlite's Title V permit and was the Company's primary DEC contact. It is our understanding that Mr. Empie is retiring shortly. I will contact you next week to ascertain who on the Department staff will be responsible for

managing this permit in light of Mr. Empie's departure and to set a schedule for completing the permit review process. Given the history of this permit (and Norlite's pending Title V permit appeal), Norlite expects the Department to assign this permit a high priority and to work quickly to resolve any outstanding issues.

We appreciate your attention to this matter. Please call me upon receipt of this letter if you have any questions, or if you require any further information or documentation.

Very truly yours,



Elizabeth M. Morss

cc: Tim Lachell
Peter Desrochers
Rick Leone

Norlite Corporation - Cohoes, NY

Site Specific Federal and State Conditions - 3/18/03

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 1: Sealing. 6 NYCRR 200.5.	Entire Facility	A	Delete Cond. 1 (duplicates new condition)
Condition 2: Acceptable ambient air quality. 6 NYCRR 200.6	Entire Facility	B	Delete Cond. 2 (duplicates new condition)
Condition 3: Maintenance of equipment. 6 NYCRR 200.7	Entire Facility	C	Delete Cond. 3 (duplicates new condition)
Condition 4: Unpermitted Emission Sources. 6 NYCRR 201-1.2.	Entire Facility	D	Delete Cond. 4 (duplicates new condition)
Condition 5: Emergency Defense. 6 NYCRR 201-1.5.	Entire Facility	E	Delete Cond. 5 (duplicates new condition)
Condition 6: Recycling and Salvage. 6 NYCRR 201-1.7.	Entire Facility	F	Delete Cond. 6 (duplicates new condition)
Condition 7: Prohibition of Reintroduction of Collected Contaminants to the Air. 6 NYCRR 201-1.8.	Entire Facility	G	Delete Cond. 7 (duplicates new condition)
Condition 8: Public Access to Recordkeeping for Title V Facilities. 6 NYCRR 201-1.10(b).	Entire Facility	H	Delete Cond. 8 (duplicates new condition)
Condition 9: Proof of Eligibility. 6 NYCRR 201-3.2(a). Exempt sources	Entire Facility	I	Delete Cond. 9 (duplicates new condition)
Condition 10: Proof of Eligibility. 6 NYCRR 201-3.3(a). Trivial Sources	Entire Facility	J	Delete Cond. 10 (duplicates new condition)
Condition 11: Applicable Criteria, Limits, Terms, Conditions, and Standards. 6 NYCRR 201-6. 11.1 requires operation of facility in accordance with approved criteria, emission limits, terms, conditions and standards in the permit. 11.2 requires certification by responsible officials.	Entire Facility	11	Revise; see Notes.
Condition 12: Cessation or Reduction of Permitted Activity Not a Defense. 6 NYCRR 201-6.	Entire Facility	P	Delete Cond. 12 (duplicates new condition)
Condition 13: Compliance Requirements. 6 NYCRR 201-6. 13.1 specifies information needed in required compliance monitoring records and reports. 13.2 addresses 112(r) plan submittal if required. 13.3 requires progress reports with respect to applicable compliance schedules.	Entire Facility	13	Revise; see Notes.
Condition 14: Federally-Enforceable Requirements. 6 NYCRR 201-6.	Entire Facility	CC	Delete Cond. 14 (duplicates new condition)
Condition 15: Fees. 6 NYCRR 201-6.	Entire Facility	R	Delete Cond. 15 (duplicates new condition)

Norlite Corporation - Cohoes, NY

...e Specific Federal and State Conditions - 3/18/03

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 16: Monitoring, Related Recordkeeping and Reporting Requirements. 6 NYCRR 201-6. Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements.	Entire Facility	16	Revise; see Notes.
Condition 17: Permit Revocation, Modification, Reopening, Re-issuance or Termination, and Associated Information Submission Requirements. 6 NYCRR 201-6.	Entire Facility	N	Delete Cond. 17 (duplicates new condition)
Condition 18: Permit Shield. 6 NYCRR 201-6.	Entire Facility	W	Delete Cond. 18 (duplicates new condition)
Condition 19: Property Rights. 6 NYCRR 201-6.	Entire Facility	Q	Delete Cond. 19 (duplicates new condition)
Condition 20: Reopening for Cause. 6 NYCRR 201-6.	Entire Facility	X	Delete Cond. 20 (duplicates new condition)
Condition 21: Right to Inspect. 6 NYCRR 201-6.	Entire Facility	S	Delete Cond. 21 (duplicates new condition)
Condition 22: Severability. 6 NYCRR 201-6.	Entire Facility	T	Delete Cond. 22 (duplicates new condition)
Condition 23: Emission Unit Definitions. 6 NYCRR 201-6. This condition identifies and describes the facility emission units.	Entire Facility	23	None
Condition 24: Compliance Certification. 6 NYCRR 201-6.5(c)(3)(ii). Semi-Annual compliance monitoring reports. 24 (HAPs) or 48 (criteria) hour notification for deviations from permit conditions. 10-day follow-up written and certified notice by responsible official.	Entire Facility	24	None
Condition 25: Compliance Certification. 6 NYCRR 201-6.5(e). This condition contains the requirements for the annual compliance certification.	Entire Facility	25	None
Condition 26: Compliance Certification. 6 NYCRR 201-6.5(f). Operational flexibility.	Entire Facility	26	Please correct formatting.
Condition 27: Permit Exclusion Provisions. 6 NYCRR 201-6.5(g).	Entire Facility	BB	Delete Cond. 27 (duplicates new condition)
Condition 28: Required emissions tests. 6 NYCRR 202-1.1.	Entire Facility	Y	Delete Cond. 28 (duplicates new condition)
Condition 29: Compliance Certification. 6 NYCRR 202-2.1. Emission statements to be submitted on or before April 15th.	Entire Facility	29	None
Condition 30: Recordkeeping requirements. 6 NYCRR 202-2.5. Requires emission statements and the data and calculations used to determine emissions to be maintained for at least five years.	Entire Facility	30	None

Norlite Corporation - Cohoes, NY

...e Specific Federal and State Conditions - 3/18/...

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 31: Visible emissions limited. 6 NYCRR 211.3. No opacity over 20% (six- min. avg) except for one continuous six-minute period per hour of not more than 57%.	Entire Facility	Z	Delete Cond. 31 (duplicates new condition)
Condition 32: Compliance Certification. 6 NYCRR 212.6(a). No opacity over 20% (six- min. avg). Daily observations shall be conducted to determine visible emissions.	Entire Facility	32	Change Cond. 32 as requested; see Notes
Condition 33: Sampling and Monitoring. 6 NYCRR 212.11(a). Stack testing will comply with notfication and stack testing procedures pursuant to 6 NYCRR Part 202.	Entire Facility	33	None
Condition 34: Open Fires Prohibited. 6 NYCRR 215.	Entire Facility	AA	Delete Cond. 34 (duplicates new condition)
Condition 35: Compliance Certification. 6 NYCRR 225-1.2(a)(2). Sulfur content of distillate fuel oil shall not exceed 1.5% by weight.	Entire Facility	35	None
Condition 36: Compliance Certification. 6 NYCRR 225-2.7. As required the facility shall sample, analyze, and measure all quantities of waste fuel received and/or fired at the facility.	Entire Facility	1-1	None
Condition 37: Prohibitions. 40 CFR 63.4, Subpart A. The facility is required to comply with Part 63 requirements regardless of whether those requirements have been included in a Title V (6 NYCRR part 201-6) permit for the source.	Entire Facility	37	Please cite specific provision or place in general conditions.
Condition 38: 63.10(b) General Recordkeeping Requirements. 40 CFR 63.10 Subpart A. All information (including all reports and notifications) required by this part shall be readily available for expeditious inspection. Also contains record retention provisions.	Entire Facility	38	None
Condition 39: 63.10(d) General Reporting Requirements. 40 CFR 63.10 Subpart A. The owner of operator of an affected source subject to the reporting requirements under the general provisions shall submit reports to the Department in accordance with the reporting requirements in the relevant standards as described in 40 CFR 63.10 (d).	Entire Facility	39	None
Condition 40: Compliance Certification. 40 CFR 63 Subpart EEE. In the event that 40 CFR 63 Subpart EEE is officially modified or vacated during the term of this Title V Permit, the Department shall initiate a modification of the permit to reflect the changes in or the vacating of the regulation.	Entire Facility	40	None
Condition 41: Compliance Certification. 40 CFR 63.1205(e), Subpart EEE. Requires compliance with Module VII of the 6 NYCRR Part 373 Hazardous Waste Management Permit until compliance date. Then requires compliance with 40 CFR Part 63.1211(d).	Entire Facility	1-2	Delete Cond. 41; see Notes

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Condition 42: Compliance Certification. 40 CFR 63.1205(e), Subpart EEE. This facility is subject to the air emission standards of subpart BB, part 264 of this chapter.	Entire Facility	42	Delete Cond. 42 as previously requested; see Notes.
Condition 43: Compliance Certification. 40 CFR 63.1210 Subpart EEE. Notification requirements for different regulations.	Entire Facility	Removed	None (Cond. 43 deleted as requested)
Condition 44: Recycling and Emissions Reduction. 40 CFR 82 Subpart F. Recycling and emissions reductions requirements for protection of stratospheric ozone.	Entire Facility	44	None
Condition 45: Emission Point Definition By Emission Unit. 6 NYCRR 201-6. This condition describes the Emission Points for each Emission Unit.	Entire Facility	45	None
Condition 46: Process Definition By Emission Unit. 6 NYCRR 201-6. This condition describes the permitted processes performed by emission units.	Entire Facility	46	Change design capacity of emission source HWOT4 from 27,675 gallons to 22,700 gallons as previously requested.
Condition 47: Compliance Certification. 40 CFR 60.627(c), Subpart OOO. Crushers must meet the 15% opacity standard.	C-RUSHS (Process OOO)	47	None
Condition 48: Operating requirements. 40 CFR 63.1206 Subpart EEE. The permittee must comply with the operational requirements as per 63.1206(c) of this subpart.	K-ILNSG	1-4	None (New Cond. 1-4 addresses concerns)
Condition 49: Operator training and certification requirements. 40 CFR 63.1206, Subpart EEE. A training and certification program must be established for each person who has responsibilities to operate the source regulated by this subpart, and must ensure that the source is operated and maintained at all times by the trained and certified person.	K-ILNSG	1-5	None (New Cond. 1-5 addresses concerns)
Condition 50: Compliance Certification. 40 CFR 63.1206(b) Subpart EEE. The compliance standards required under 63.1206(b) will be met. See permit for details about condition.	K-ILNSG	50	Change Cond. 50 as previously requested; see Notes.
Condition 51: Limits on operating parameters based on comprehensive performance testing. 40 CFR 63.1209 Subpart EEE. The permittee must establish limits on operating parameters (listed in the following Items) based on comprehensive performance testing to ensure the compliance with the emission standards of this subpart.	K-ILNSG	51	None

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Condition 52: Compliance Certification. 40 CFR 63.1210, Subpart EEE. Within 90 (Ninety) days of completion of a comprehensive performance test or by June 30, 2003 whichever is earlier, the permitted must postmark and submit to the NYSDEC a Notification of Compliance (NOC).	K-ILNSG	1-6	None (Revised to Sept. 30 vs June 30 2003 NOC submittal); however, DEC should fix format.
Condition 53: Compliance Certification. 40 CFR 63.1210, Subpart EEE. The permittee must submit the final NIC to the NYSDEC by October 2, 2000, as per 63.1210(b).	K-ILNSG	Removed	None (One-time occurrence, fulfilled)
Condition 54: Compliance Certification. 40 CFR 63.1211, Subpart EEE. Any time an action taken by the permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown and malfunction plan, the permittee must report the actions.	K-ILNSG	54	None
Condition 55: Compliance Certification. 40 CFR 63.1211, Subpart EEE. The permittee must submit to the NYSDEC a written report within 5 (five) days of an emergency safety vent (ESV) opening that results in non compliance with the emission standards of this subpart.	K-ILNSG	1-7	Out of sequence; Cond. 1-7 replaced Cond. 55 but is before Cond. 54 (Not a critical change)
Condition 56: Compliance Certification. 40 CFR 63.1211, Subpart EEE. For each set of 10 exceedances of any emission standard or operating requirements while hazardous waste remains in the combustion chamber (i.e., when the hazardous waste residence time has not transpired since the hazardous waste feed was) cutoff during a 60-day block period, the permittee must submit to the NYSDEC a written report of exceedances within 5 calendar days of the 10th exceedance as per 40 CFR 63.1206(c)(3)(vi).	K-ILNSG	56	None
Condition 57: Compliance Certification. 40 CFR 63.1211, Subpart EEE. A startup, shutdown, and malfunction report must be submitted by the permittee to NYSDEC, if a startup, shutdown, or malfunction occurred during the reporting period as required by 40CFR 63.10(d)(5)(i).	K-ILNSG	57	None
Condition 58: Compliance Certification. 40 CFR 63.1211, Subpart EEE. Summary of recordkeeping requirements.	K-ILNSG	Removed	None (Duplicate cond. deleted as requested)
Condition 59: Compliance Certification. 40 CFR 63.1211, Subpart EEE. Summary of recordkeeping requirements.	K-ILNSG	59	Change Cond. 59 as previously requested; see Notes.
Condition 60: Compliance Certification. 6 NYCRR 212.4(c). This condition limits emissions of solid particulates to less than 0.050 grains of particulates per dscf.	K-ILNSG (Process KCC)	60	None

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Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 61: Compliance Certification. 6 NYCRR 212.10(c). This condition prohibits the discharge of emissions that contain NOx in excess of 61 lbs/hr.	K-ILNSG (Process KNF)	Removed	None (Duplicate cond. deleted as requested)
Condition 62: Compliance Certification. 6 NYCRR 212.3(b). This condition prohibits the discharge of PM in excess of 0.08 grams/dscf corrected to 7% O2.	K-ILNSG (EP 00001)	62	Revise; see Notes.
Condition 63: Compliance Certification. 6 NYCRR 212.3(b). This condition prohibits SO2 stack emissions that exceed 30 lbs./hr. and required a CEMS for SO2	K-ILNSG (EP 00001)	1-8	CEM deleted as requested, additional revisions necessary; see Notes.
Condition 64: Compliance Certification. 6 NYCRR 212.3(b). This condition requires total Cl fed to the kiln shall not exceed 73 pounds per hour.	K-ILNSG (EP 00001)	1-13	Delete as previously requested; additional revisions necessary; see Notes.
Condition 65: Compliance Certification. 6 NYCRR 212.3(b). This emission point shall control emissions that contain HCl in accordance with Table 212.9(b) (75%).	K-ILNSG (EP 00001)	Removed	None.
Condition 66: Compliance Certification. 6 NYCRR 212.3(b). This emission point shall control emissions that contain Chlorine in accordance with Table 212.9(b) (75%).	K-ILNSG (EP 00001)	Removed	None.
Condition 67: Compliance Certification. 6 NYCRR 212.4(b). No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/ hr.	K-ILNSG (EP 00001)	67	Revise; see Notes.
Condition 68: Compliance Certification. 6 NYCRR 212.4(b). The fugitive emissions from the combustion zone and the back end of this kiln shall be controlled by continuously maintaining a negative kiln pressure less than - 0.05 inches and maintaining a baghouse pressure drop below 10.0 inches.	K-ILNSG (EP 00001)	68	Delete as previously requested; see Notes.
Condition 69: Compliance Certification. 6 NYCRR 212.10. This emission point shall not discharge emissions that contain NOx in excess of 61 pounds per hour.	K-ILNSG (EP 00001)	Removed	None (Duplicate cond. deleted as requested)
Condition 70: Compliance Certification. 6 NYCRR 212.10(c). This emission point shall not discharge emissions that contain NOx in excess of 61 pounds per hour.	K-ILNSG (EP 00001)	70	Revise; see Notes.

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 71: Compliance Certification. 40 CFR 63.1205(a)(1), Subpart EEE. Emission point 00001 shall not discharge or cause combustion gases to be emitted into the atmosphere that contain dioxin and furan D/F emissions in excess of 0.20 ng TEQ/dscm corrected to 7% oxygen. The combustion gas temperature at the exit of the last combustion chamber (or exit of any waste heat recovery system) shall be rapidly quenched to 400 °F or lower.	K-ILNSG (EP 00001)	71	Please delete initial report date; see Notes
Condition 72: Compliance Certification. 40 CFR 63.1205(a)(2), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Mercury in excess of 47 micrograms per dry standard cubic meter corrected to 7% oxygen.	K-ILNSG (EP 00001)	1-9	Cond. 72 replaced; however, limit still incorrect; see Notes.
Condition 73: Compliance Certification. 40 CFR 63.1205(a)(3), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Lead and Cadmium in excess of 250 micrograms per dry standard cubic meter, combined emissions, corrected to 7% oxygen.	K-ILNSG (EP 00001)	73	Please delete initial report date; see Notes
Condition 74: Compliance Certification. 40 CFR 63.1205(a)(4), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain arsenic, beryllium, and chromium in excess of 110 micrograms per dry standard cubic meter, combined emissions, corrected to 7 % oxygen.	K-ILNSG (EP 00001)	74	Please delete initial report date; see Notes
Condition 75: Compliance Certification. 40 CFR 63.1205(a)(5)(i), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Carbon Monoxide in excess of 100 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7% oxygen.	K-ILNSG (EP 00001)	75	Please delete initial report date; see Notes
Condition 76: Compliance Certification. 40 CFR 63.1205(a)(5)(ii), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrocarbons in excess of 20 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7% oxygen.	K-ILNSG (EP 00001)	76	Delete Cond. 76 as previously requested; see Notes.
Condition 77: Compliance Certification. 40 CFR 63.1205(a)(6), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrochloric Acid and Chlorine Gas in excess of 230 ppm by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis, corrected to 7% oxygen.	K-ILNSG (EP 00001)	77	Please delete initial report date; also revise Cond. 77 as previously requested; see Notes.

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Condition 78: Compliance Certification. 40 CFR 63.1205(a)(7), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contains particulate matter in excess of 57 mg per dry standard cubic meter, corrected to 7% oxygen.	K-ILNSG (EP 00001)	78	Please delete initial report date; see Notes
Condition 79: Compliance Certification. 40 CFR 63.1205(c)(1), Subpart EEE. The stack emission testing must be performed to determine compliance with the DRE standard. The DRE for each POHC should not be less than 99.99%.	K-ILNSG (EP 00001)	79	Please delete initial report date, and remove incorrect reference as previously requested; see Notes.
Condition 80: Compliance Certification. 40 CFR 63.1205(c)(2), Subpart EEE. This facility may not burn dioxin-listed designated hazardous wastes: FO20, FO21, FO22, FO23, FO26 or FO27.	K-ILNSG (EP 00001)	80	Please delete initial report date; see Notes
Condition 81: Types of Performance Test - Comprehensive Performance Test (CPT). 40 CFR 63.1207, Subpart EEE. List of specific requirements when conducting the CPT.	K-ILNSG (EP 00001)	81	Delete Cond. 81 as previously requested; see Notes.
Condition 82: Types of Performance Tests - Confirmatory Performance Test (CT). 40 CFR 63.1207, Subpart EEE. List of specific requirements when conducting the CT.	K-ILNSG (EP 00001)	Removed	None (Deleted as requested)
Condition 83: Compliance Certification. 40 CFR 63.1207, Subpart EEE. As required by 40CFR 63.1207(b)(1), the permittee must conduct CPT to demonstrate compliance with the emission standards in 40 CFR 63.1205, establish operating limits for operating parameters, and demonstrate compliance with the performance specifications for continuous monitoring systems (CMS).	K-ILNSG (EP 00001)	83	Revise as previously requested; see Notes.
Condition 84: Compliance Certification. 40 CFR 63.1207, Subpart EEE. As required by 40 CFR 63.1207(b)(2), the permittee must conduct CT to demonstrate compliance with the dioxin/furan emission standards in this subpart, under normal conditions.	K-ILNSG (EP 00001)	84	Revise as previously requested; see Notes.
Condition 85: Compliance Certification. 40 CFR 63.1211, Subpart EEE. Submit to the NYSDEC by 10/1/01, the compliance progress reports associated with the NIC, as per 63.1211(b) of this subpart.	K-ILNSG (EP 00001)	85	Delete as previously requested; see Notes.
Condition 86: Compliance Certification. 40 CFR 63.1211, Subpart EEE. The permittee must develop and submit to the NYSDEC a DOC by 9/30/02, as per 63.1211(d) of this subpart.	K-ILNSG (EP 00001)	86	Revise as previously requested; see Notes.
Condition 87: Compliance Certification. 6 NYCRR 212.3(b). The total chlorine fed to the kiln shall not exceed 73 pounds per hour.	K-ILNSG (EP 00002)	1-18	Delete Cond. 87 as previously requested; see Notes

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Condition 88: Compliance Certification. 6 NYCRR 212.3(b). This emission point shall not discharge emissions that contain HCl in excess of 2.9 pounds per hour (uncorrected for ammonium chloride).	K-ILNSG (EP 00002)	1-20	Delete Cond. 88 as previously requested; see Notes
Condition 89: Compliance Certification. 6 NYCRR 212.3(b). This condition prohibits the discharge of PM in excess of 0.08 grains per dry standard cubic foot, corrected to 7% O2.	K-ILNSG (EP 00002)	89	Revise; see Notes.
Condition 90: Compliance Certification. 6 NYCRR 212.3(b). This emission point shall control emissions that contain HCl in accordance with Table 212.9(b) (75%).	K-ILNSG (EP 00002)	Removed	None.
Condition 91: Compliance Certification. 6 NYCRR 212.3(b). This condition prohibits SO2 stack emisisons that exceed 30 lbs/hr and required a CEMS for SO2	K-ILNSG (EP 00002)	1-10	CEMs deleted as requested; additional revisions necessary; see Notes.
Condition 92: Compliance Certification. 6 NYCRR 212.3(b). This emission point shall control emissions that contain Chlorine in accordance with Table 212.9(b) (75%).	K-ILNSG (EP 00002)	Removed	None.
Condition 93: Compliance Certification. 6 NYCRR 212.4(b). No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/ hr.	K-ILNSG (EP 00002)	Removed	None.
Condition 94: Compliance Certification. 6 NYCRR 212.4(b). No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/ hr.	K-ILNSG (EP 00002)	94	Revise; see Notes.
Condition 95: Compliance Certification. 6 NYCRR 212.4(b). This facility shall control the emissions of toxic metals from this emission point by limiting the total feed rate of each metal into the kiln.	K-ILNSG (EP 00002)	95	Delete as previously requested; see Notes.
Condition 96: Compliance Certification. 6 NYCRR 212.4(b). This emission point shall not discharge emissions that contain Chlorine in excess of 0.044 pounds per hour (uncorrected for ammonium chloride)	K-ILNSG (EP 00002)	96	Delete as previously requested; see Notes.
Condition 97: Compliance Certification. 6 NYCRR 212.10(c). This emission point shall not discharge emissions that contain NOx in excess of 61 pounds per hour.	K-ILNSG (EP 00002)	97	Revise; see Notes.
Condition 98: Compliance Certification. 40 CFR 63.1205(a)(1), Subpart EEE. Emission point 00002 shall not discharge or cause combustion gases to be emitted into the atmosphere that contain dioxin and furan D/F emissions in excess of 0.20 ng TEQ/dscm corrected to 7% oxygen. The combustion gas temp. at the exit of the last combustion chamber (or exit of any waste heat recovery system) shall be rapidly quenched to 400 oF or lower.	K-ILNSG (EP 00002)	98	Please delete initial report date; see Notes

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 99: Compliance Certification. 40 CFR 63.1205(a)(2), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Mercury in excess of 47 micrograms per dry standard cubic meter corrected to 7% oxygen.	K-ILNSG (EP 00002)	99	Limit still incorrect; revise as previously requested. Please delete initial report date as well; see Notes.
Condition 100: Compliance Certification. 40 CFR 63.1205(a)(3), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Lead and Cadmium in excess of 250 micrograms per dry standard cubic meter, combined emissions, corrected to 7% oxygen.	K-ILNSG (EP 00002)	100	Please delete initial report date; see Notes
Condition 101: Compliance Certification. 40 CFR 63.1205(a)(4), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain arsenic, beryllium, and chromium in excess of 110 micrograms per dry standard cubic meter, combined emissions, corrected to 7 % oxygen.	K-ILNSG (EP 00002)	101	Please delete initial report date; see Notes
Condition 102: Compliance Certification. Continuous Emission Monitoring (CEM). 40 CFR 63.1205(a)(5)(i), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Carbon Monoxide in excess of 100 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 % oxygen.	K-ILNSG (EP 00002)	102	Please delete initial report date; see Notes
Condition 103: Compliance Certification. 40 CFR 63.1205(a)(5)(ii), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrocarbons in excess of 20 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7% oxygen, and reported as propane.	K-ILNSG (EP 00002)	103	Delete Cond. 103 as previously requested; see Notes.
Condition 104: Compliance Certification. 40 CFR 63.1205(a)(6), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrochloric Acid and Chlorine Gas in excess of 230 ppm by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis, corrected to 7% oxygen.	K-ILNSG (EP 00002)	104	Limit still incorrect; revise as requested. Please delete initial report date as well; see Notes.
Condition 105: Compliance Certification. 40 CFR 63.1205(a)(7), Subpart EEE. This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contains particulate matter in excess of 57 mg per dry standard cubic meter, corrected to 7% oxygen.	K-ILNSG (EP 00002)	105	Please delete initial report date; see Notes

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Condition 106: Compliance Certification. 40 CFR 63.1205(c)(1), Subpart EEE. The stack emission testing must be performed to determine compliance with the DRE standard. The DRE for each POHC should not be less than 99.99%	K-ILNSG (EP 00002)	106	Please delete initial report date; see Notes
Condition 107: Compliance Certification. 40 CFR 63.1205(c)(2), Subpart EEE. This facility may not burn dioxin - listed designated hazardous wastes: FO20, FO21, FO22, FO23, FO26 or FO27.	K-ILNSG (EP 00002)	107	Please delete initial report date; see Notes
Condition 108: Types of Performance Test - Comprehensive Performance Test (CPT). 40 CFR 63.1207, Subpart EEE. List of specific requirements when conducting the Comprehensive Performance Test.	K-ILNSG (EP 00002)	108	Delete Cond. 108 as previously requested; see Notes.
Condition 109: Types of Performance Tests - Confirmatory Performance Test (CT). 40 CFR 63.1207, Subpart EEE. List of specific requirements when conducting the Confirmatory Performance Tests.	K-ILNSG (EP 00002)	109	Delete Cond. 109 as previously requested; see Notes.
Condition 110: Compliance Certification. 40 CFR 63.1207, Subpart EEE. Permittee must conduct CPT to demonstrate compliance with the emission standards in 40 CFR 63.1205, establish operating limits for operating parameters, and demonstrate compliance with the performance specifications for continuous monitoring systems (CMS).	K-ILNSG (EP 00002)	110	Revise as previously requested; see Notes.
Condition 111: Compliance Certification. 40 CFR 63.1207, Subpart EEE. Permittee must conduct CT to demonstrate compliance with the dioxin/furan emission standards in this subpart, under normal conditions.	K-ILNSG (EP 00002)	111	Revise as previously requested; see Notes.
Condition 112: Compliance Certification. 40 CFR 63.1211, Subpart EEE. The permittee must submit to the NYSDEC by 10/1/01, the compliance progress reports associated with the NIC.	K-ILNSG (EP 00002)	112	Delete as previously requested; see Notes.
Condition 113: Compliance Certification. 40 CFR 63.1211, Subpart EEE. The permittee must develop and submit to the NYSDEC a DOC by 9/30/02, as per 63.1211(d) of this subpart.	K-ILNSG (EP 00002)	113	Revise as previously requested; see Notes.
Condition 114: Compliance Certification. 40 CFR 63.683(b)(2)(ii), Subpart DD. At the discretion of the owner or operator, one or a combination of off-site material management units may be exempted from the requirements in paragraph (b)(1) of 40 CFR 63.683 when these units meet certain conditions	M-ISCES (Process DRS)	114	Revise; see Notes.
Condition 115: Equipment Leak Provisions. 40 CFR 63.683(b)(3), Subpart DD. For each equipment component that is part of the affected sources and meets certain criteria, HAPs emitted from equipment leaks shall be controlled by implementing control measures in accordance with the standards specified in 63.691.	M-ISCES (Process DRS)	115	Delete as previously requested; see Notes.

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Condition 116: Compliance Certification. 40 CFR 63.683(d), Subpart DD. For each equipment component that is part of an affected source and meets certain criteria, the owner/operator shall control the HAP emitted from equipment leaks by implementing control measures in accordance with the standards specified in §63.691.	M-ISCES (Process DRS)	116	None
Condition 117: Standards - Containers with a capacity > 121.52 gallons and in light material service. 40 CFR 63.688, Subpart DD. The owner/operator shall control air emissions from the container in accordance with the standards for container Level 2 controls as specified in 40 CFR 63.923.	M-ISCES (Process DRS)	117	None
Condition 118: Standards - Containers with a capacity >26.4 gallons and < 121.52 gallons or containers with a capacity >121.52 gallons and not in light-material service. 40 CFR 63.688, Subpart DD. The owner/operator shall control air emissions from the container by following the provisions listed in 40 CFR 63.922 of Subpart PP for Container Level 1 controls.	M-ISCES (Process DRS)	118	None
Condition 119: Compliance Certification. 6 NYCRR 212.4(c). Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.	M-ISCES (Process FSH)	119	None
Condition 120: Compliance Certification. 40 CFR 63.683(b)(2)(ii), Subpart DD. For each process vent that is part of an affected source, the owner or operator shall control the HAP emitted from the process vent as specified.	M-ISCES (Process FTS)	120	Incorrect citation; revise per Notes.
Condition 121: Compliance Certification. 40 CFR 63.683(b)(2)(ii), Subpart DD. At the discretion of the owner or operator, one or a combination of off-site material management units may be exempted from the requirements in paragraph (b)(1) of 40 CFR 63.683 when these units meet certain conditions.	M-ISCES (Process FTS)	121	Revise; see Notes.
Condition 122: Compliance Certification. 40 CFR 63.683(c), Subpart DD. For each process vent that is part of an affected source and that is not exempt under 63.683(c)(2), the owner or operator shall control the HAP emitted from the process vent as specified.	M-ISCES (Process FTS)	122	Revise; see Notes.
Condition 123: Compliance Certification. 40 CFR 63.683(b)(2)(ii), Subpart DD. For each process vent that is part of an affected source, the owner or operator shall control the HAP emitted from the process vent as specified.	M-ISCES (Process ULF)	123	Incorrect citation; revise per Notes.

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Condition 124: Compliance Certification. 40 CFR 63.683(b)(2)(ii), Subpart DD. At the discretion of the owner or operator, one or a combination of off-site material management units may be exempted from the requirements in paragraph (b)(1) of 40 CFR 63.683 when these units meet certain conditions.	M-ISCES (Process ULF)	124	Revise; see Notes.
Condition 125: Compliance Certification. 40 CFR 63.683(c), Subpart DD. For each process vent that is part of an affected source and that is not exempt under 63.683(c)(2), the owner or operator shall control the HAP emitted from the process vent as specified.	M-ISCES (Process ULF)	125	Revise; see Notes.
Condition 126: Compliance Certification. 6 NYCRR 229.3(e)(2)(v). Storage tanks subject to this requirement, with a capacity of less than 10,000 gal must be equipped with a conservation vent. Visual inspection of the conservation vent required on an annual basis.	S-TANKS (Process HFT)	126	Delete Cond. 126 (regulations do not apply to Norlite); see Notes.
Condition 127: Compliance Certification. 6 NYCRR 229.5(d). The owner or operator of a volatile organic liquid storage tank that is subject to 6NYCRR Part 229 must maintain a record of the capacity (in gallons) of the volatile organic liquid storage tank at the facility.	S-TANKS (Process HFT)	127	Delete Cond. 127 (regulations do not apply to Norlite); see Notes.
Condition 128: Equipment Leak Provisions. 40 CFR 63.683(b)(3), Subpart DD. For each equipment component that is part of an affected source and meets certain criteria, HAPs emitted from equipment leaks shall be controlled by implementing control measures in accordance with the standards specified in §63.691.	S-TANKS (Process HWT)	128	Delete as previously requested; see Notes.
Condition 129: Compliance Certification. Record Keeping/Maintenance Procedures. 40 CFR 63.683(d), Subpart DD. For each equipment component that is part of an affected source and meets certain criteria, HAPs emitted from equipment leaks shall be controlled by implementing control measures in accordance with the standards specified in §63.691.	S-TANKS (Process HWT)	129	None
Condition 130: Unavoidable noncompliance and violations. 6 NYCRR 201-1.4. At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable.	Entire Facility	130	None
Condition 131: General Provisions. 6 NYCRR 201-5. This section contains general conditions relating to State/Federal enforceability, operations, maintenance, and recordkeeping.	Entire Facility	131	None

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 132: Permit Exclusion Provisions. 6 NYCRR 201-5. This permit shall not be construed as barring, diminishing, adjudicating or in any way affecting any currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable laws.	Entire Facility	132	None
Condition 133: Contaminant List. 6 NYCRR 201-5.3(b). A list of contaminants that are subject to contaminant-specific requirements in the permit.	Entire Facility	133	None
Condition 134: Air Pollution prohibited. 6 NYCRR 211.2. No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.	Entire Facility	134	None
Condition 135: Compliance Certification. 6 NYCRR 212.4(b). This emission point shall control emissions that contain toxic metals in accordance with Table 212.9(b) (99%).	K-ILNSG (EP 00001)	135	None
Condition 136: Compliance Certification. 6 NYCRR 212.4(b). This emission point shall control emissions that contain toxic metals in accordance with Table 212.9(b) (99%).	K-ILNSG (EP 00002)	136	None
Condition K: Timely Application for the Renewal of Title V Permits. 6 NYCRR Part 201-6.3(a)(4). Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.	Entire Facility	New	None
Condition L: Certification by a Responsible Offical. 6 NYCRR Part 201-6.3(d)(12). Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official.	Entire Facility	New	None
Condition M: Requirement to Comply With All Conditions. 6 NYCRR Part 201-6.5(a)(2). The permittee must comply with all conditions of the Title V facility permit.	Entire Facility	New	None
Condition O: Providing Information Upon Request. 6 NYCRR Part 201-6.5(a)(4). The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine wheather cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.	Entire Facility	New	None

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition U: Progress Reports and Compliance Schedules. 6 NYCRR Part 201-6.5(d)(5). Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis or more frequently if permit requires.	Entire Facility	New	None
Condition V: Off Permit Changes. 6 NYCRR Part 201-6.5(f)(6). No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting provided certain conditions are met.	Entire Facility	New	None
Condition 1-3: Compliance Certification. 6 NYCRR 225-1.2(d). Facility shall not purchase, sell, or use residual fuel oil with a sulfur content exceeding 1.5 percent sulfur by weight. The facility shall maintain sulfur content certificates from the vendor on site for 3 years.	K-ILNSG	New	Change Cond. 1-3 as requested, see Notes.
Condition 1-11: Compliance Demonstration. 6 NYCRR 212.3(b). The facility shall feed the waste fuels into the incinerator only under the operating conditions specified in Condition VII.D of the HWM Permit.	K-ILNSG (EP 00001)	New	Revise; see Notes.
Condition 1-12: Compliance Demonstration. 6 NYCRR 212.3(b). Establishes emission rates (lb/hr) for various different metals measured per batch or product/raw material change.	K-ILNSG (EP 00001)	New	Revise; see Notes.
Condition 1-13: Compliance Demonstration. 6 NYCRR 212.3(b). Hydrogen Chloride will be limited to 73 lbs/hr.	K-ILNSG (EP 00001)	New	See Notes re Cond. 69 and 87.
Condition 1-14: Compliance Demonstration. 6 NYCRR 212.4(b). EP shall not discharge emissions that contain Cl in excess of 0.044 lbs/hr.	K-ILNSG (EP 00001)	New	See Notes re Cond. 96.
Condition 1-15: Compliance Demonstration. 6 NYCRR 212.3(a). Hydrogen Chloride shall be limited to 2.9 lbs/hr	K-ILNSG (EP 00001)	New	See Notes re Cond. 88.
Condition 1-16: Compliance Demonstration. 6 NYCRR 212.3(a). EP shall not dischage emissions that contain Cl in excess of 0.044 lbs/hr.	K-ILNSG (EP 00001)	New	See Notes re Cond. 96.
Condition 1-17: Compliance Demonstration. 6 NYCRR 212.3(b). Establishes emission rates (lb/hr) for various different metals measured per batch or product/raw material change.	K-ILNSG (EP 00002)	New	Revise; see Notes.
Condition 1-18: Compliance Demonstration. 6 NYCRR 212.3(b). Hydrogen Chloride will be limited to 73 lbs/hr.	K-ILNSG (EP 00002)	New	See Notes re Cond. 69 and 87.
Condition 1-19: Compliance Demonstration. 6 NYCRR 212.3(a). EP shall not discharge emissions that contain Cl in excess of 0.044 lbs/hr.	K-ILNSG (EP 00002)	New	See Notes re Cond. 96.

Norlite Corporation - Cohoes, NY

Site Specific Federal and State Conditions - 3/18/03

Issued Permit Condition #; Citation; and Monitoring, Data, or Analysis Required by the Permit	Emission Units /Process	New Condition Mod 1	Desired Revision
Condition 1-20: Compliance Demonstration. 6 NYCRR 212.3(a). Hydrogen Chloride will be limited to 2.9 lbs/hr.	K-ILNSG (EP 00002)	New	See Notes re Cond. 88.

Notes Concerning Proposed Revisions
to Norlite's Title V Permit Conditions
March 18, 2003

Cond. 11. Item 11.1 contains general language requiring Norlite to operate the facility in accordance with the permit. The citation for this provision is 6 NYCRR 201-6, the general provision for Title V permits. Unless DEC can offer a more specific citation for this item, it should be deleted. Item 11.2 is duplicated in Notification of General Permitee Obligations, Item L; accordingly, Item 11.2 should be deleted.

Cond. 13. Currently, Permit Condition 13 cites to 6 NYCRR 201-6, which is too general. The items in this condition should be addressed as follows. Item 13.1, which addresses monitoring records, should be broken out as a separate permit condition. The correct citation is 6 NYCRR 201-6.5(c). Item 13.3, which addresses progress reports, is duplicated in Notification of General Permitee Obligations, Item U; accordingly, Item 13.3 should be deleted. We have been unable to identify the correct citation for Item 13.2 (addressing CAA 112(r) plans). Unless DEC can offer a more specific citation for this item, it should be deleted.

Cond. 16. Condition 16 cites to 6 NYCRR 201-6, which is too general. The correct citation is 6 NYCRR 201-6.5(c)(2).

Cond. 32. Condition 32 implements the opacity standards specified in 6 NYCRR 212.6(a). As indicated in Norlite's Notice of Appeal and in previous discussions with the Department, the company has several concerns regarding the permit's current opacity monitoring requirement. In an effort to address both the Department's and Norlite's issues, Norlite is proposing the following two permit conditions in place of existing Condition 32. This language, which calls for use of visible emissions as an indicator for corrective actions, is consistent with opacity conditions in several recently-issued Title V permits in New York.

As discussed in previous meetings, Norlite is concerned about the appropriateness of using Method 9 to monitoring opacity from other than emission points. Nevertheless, we recognize that the Department is concerned about possible visible emissions from sources other than confined emission points. To address the Department's concerns, Norlite proposes to conduct daily visibility checks for each of the facility's 10 emission points and weekly checks of all other emission sources in accordance with the conditions set forth below.

New Condition 32 (Daily Observations Applicable to Listed Emission Points)

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1) Observe the following emission points once per day for visible emissions: **EP 00001, 00002, 0003A, 0003B, 00018, 00046, 00047, 00048, 00049, and 00050.** These observations must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2)The results of each observation must be recorded.

3) Observation of visible emissions 20% or greater shall prompt immediate investigation and appropriate corrective action. If the operator observes visible emissions 20% or greater (except the emission of uncombined water vapor) for two

consecutive days, then a Method 9 analysis (based on a 6-minute average) of the affected emission point must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the standard of 20% or greater average opacity for any consecutive 6 minutes is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

New Condition (Weekly Observations Applicable to Emission Sources other Than Those Addressed in Permit Condition 32)

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1) Observe the emission sources other than those associated with Emission Points **EP 00001, 00002, 0003A, 0003B, 00018, 00046, 00047, 00048, 00049, and 00050 once per week.** These observations must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded.

3) Observation of visible emissions 20% or greater shall prompt immediate investigation and appropriate corrective action, as well as a second day of observation. If the operator observes visible emissions 20% or greater (except the emission of uncombined water vapor) for two consecutive days, then a Method 9 analysis (based on a 6-minute average) of the affected emission point must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the standard of 20% or greater average opacity for any consecutive 6 minutes is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

Conds. 41, 1-2. Condition 41 implements 6 NYCRR 373 hazardous waste permit conditions up to the compliance date of the DOC under Subpart EEE. That condition is "Effective between the dates of 9/30/03 and Permit Expiration." By comparison, new Condition 1-2 implements the exact same provision "Effective for entire length of Permit". Condition 41 is duplicative of new Condition 1-2, and should be deleted.

Cond. 42. EPA deleted 40 CFR 63.1205(e) in a rulemaking on 2/13/2002, 67 Fed. Reg. 6792; however, DEC failed to delete this requirement when it issued Norlite's final Title V permit. Please delete this condition pursuant to Norlite's previous requests.

Cond. 50. EPA revised 40 CFR 63.1206(b) on 2/13/02 and 2/14/02. 67 Fed. Reg. 6792 and 67 Fed. Reg. 6968. On appeal, Norlite asked DEC to revise the permit to include these changes, which were adopted before DEC issued the final Title V permit. The requested revisions were not made. Norlite therefore reiterates its request that DEC revise this condition to include the correct and current applicable requirements.

Cond. 59. EPA revised the recordkeeping requirements contained in 40 CFR 63.1211 by rulemaking on 2/13/02. 67 Fed. Reg. 6792. On appeal, Norlite asked DEC to revise the permit to include these changes, which were adopted before DEC issued the final Title V permit. The requested revisions were not made. Norlite therefore reiterates its request that DEC revise this condition to include the correct and current applicable requirements.

Conds. 62, 89. Consistent with the discussion in the cover letter, please revise these conditions as follows to ensure that they are consistent with the requirements of Norlite's Part 373 permit.

Monitoring Description:

> This emission point shall not discharge particulate matter in excess of 0.08 grains per dry standard cubic foot, corrected to 7% oxygen in the stack gas, consistent with the standards and procedures specified in Module VII, Section B(2) of the facility's Part 373 hazardous waste permit.

Conds. 63, 91 (Replaced by 1-8, 1-10). As agreed to in previous meetings, DEC has deleted the provision requiring Norlite to install a CEMS to monitor SO_2 emissions from the kiln. Consistent with the discussion in the cover letter, Norlite requests that DEC revise the new Permit Conditions 1-8 and 1-10 as follows to ensure that they are consistent with the requirements of Norlite's Part 373 permit.

Monitoring Description:

> SO_2 stack emissions from this kiln shall not exceed 30 pounds per hour, consistent with the standards and procedures specified in Module VII, Section B(6) of the facility's Part 373 hazardous waste permit.

Conds. 64, 87 (Replaced by 1-13, 1-18). Norlite previously requested that these conditions be moved to the state-only section of the permit since they regulate a toxic rather than a criteria pollutant. DEC added the conditions to the state-only section of the permit (Conditions 1-13 and 1-18) without deleting the original conditions (Conditions 64 and 87) from the federally enforceable section. Accordingly, Norlite asks DEC to delete Conditions 64 and 87. Consistent with the discussion in the cover letter, Norlite also requests that DEC revise new Permit Conditions 1-13 and 1-18 as follows to ensure that they are consistent with the requirements of Norlite's Part 373 permit.

Monitoring Description:

> The total chlorine fed to the kiln (including the contribution from the shale) shall not exceed 73 pounds per hour, consistent with the standards and procedures specified in Module VII, Section C(3) of the facility's Part 373 hazardous waste permit.

Conds. 67 and 94. Consistent with the discussion in the cover letter, Norlite requests that DEC revise Permit Conditions 67 and 94 as follows to ensure that they are consistent with the requirements of Norlite's Part 373 permit.

Monitoring Description:

> No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/hour, consistent with the standards and procedures specified in Module VII, Section C(2) of the facility's Part 373 hazardous waste permit.

Cond. 68. This condition is based on Module VII, Condition D(3) of the facility's RCRA permit; however, the condition, as drafted, does not accurately reflect the conditions of the RCRA permit. On appeal, Norlite requested that DEC delete or modify this condition. The requested change was not made. Norlite reiterates its request that DEC delete this condition as unnecessary.

> This condition would, even if cited specifically from Condition D(3), specify alarm setpoints and Waste Feed Cutoff (WFCO) parameters which are safety or protective limits, not violations, resulting in shutdowns prior to Part 373 exceedances. If incorporated as proposed, these conservative and protective safety limits would become Title V limits; invoking a safety limit would then arguably be a Title V permit violation. Since these limits are already appropriately applied and followed as required under the Part 373 permit and cannot readily be included in the Title V permit, Norlite requests that this condition be deleted.

Conds. 70 and 97. Consistent with the discussion in the cover letter, Norlite requests that DEC revise Permit Conditions 70 and 97 as follows to ensure that they are consistent with the requirements of Norlite's Part 373 permit.

> Monitoring Description:
>
> > This emission point shall not discharge emissions that contain Oxides of Nitrogen in excess of 61 pounds per hour, consistent with the standards and procedures specified in Module VII, Section B(7) of the facility's Part 373 hazardous waste permit.

Conds. 71, 73-75, 77-80, 98-102, 104-107. For the reasons set forth in the cover letter, please delete the initial report date included with these permit conditions.

Conds. 72, 99 (72 replaced by 1-9). The emission limit for mercury was increased from 47 to 120 micrograms per dscm corrected to 7% oxygen in a rulemaking on 2/13/2002, 67 Fed. Reg. 6792. However, this change was not included in Norlite's final Title V permit. On appeal, Norlite asked DEC to amend the permit to include the correct limit; Cond. 72 was replaced, but the incorrect limit remains in the new Condition 1-9; Condition 99 remains, and is also incorrect. DEC must revise Conditions 1-9 and 99 to include the correct mercury limit.

Conds. 76, 103. These conditions offer an alternative to 63.1205(a)(5)(i) (Conditions 75 and 102) for monitoring CO. Since Norlite intends to monitor CO directly, it previously asked DEC to delete these conditions, which establish limits and monitoring requirements for hydrocarbons as a surrogate for CO. Norlite reiterates that request.

Conds. 77, 104. The emission limit for hydrochloric acid and chlorine gas was increased from 230 to 600 ppm in a rulemaking on 2/13/02. 67 Fed. Reg. 6792. However, this change was not included in the Title V permit. On appeal, Norlite asked DEC to amend the permit to include the correct limit, but the revision was not made. Accordingly, Norlite again asks DEC to revise the permit to include the correct limit.

Conds. 79, 106. The permit requires the DRE to be calculated as defined in 40 CFR 63.1203(c) and 63.1205(c). However, the reference to 63.1203(c) (which applies only to hazardous waste incinerators) is incorrect. Norlite previously asked DEC to delete this incorrect reference and reiterates that request here.

SPECTRA
ENGINEERING, ARCHITECTURE & SURVEYING, P.C.

June 15, 2004

Mr. Bruce O'Neill
Environmental Engineer 1
New York State Department of Environmental Conservation
1150 North Westcott Road
Schenectady, NY 12306-2014

RE: Norlite Corporation Title V Permit
DEC # 4-0103-0015/00048; February 2004 Draft

Dear Mr. O'Neill:

On behalf of Norlite Corporation (Norlite), Spectra Environmental Group, Inc. (Spectra) is hereby submitting comments and observations concerning Norlite's Draft Title V air permit modification, as provided to Norlite and Spectra on February 4, 2004. The review addresses primarily conditions other than those involving 40 CFR Part 63, Subpart EEE, which will be discussed in a separate letter. The following paragraphs contain our general comments; specific comments by citation are provided in the enclosed spreadsheets. Comments therein are provided by regulation, as noted in the title and footer.

General Comments

Norlite appreciates the thoroughness of the latest draft. DEC clearly has devoted considerable time and effort to ensuring that Norlite's Title V permit is as complete as possible. Since the permit condition numbers will be in flux as amendments are made, we suggest that DEC make its regulatory citations as specific as possible. For example, 40 CFR 63.1206(c) (3) is cited as the regulatory basis for several permit conditions. As the draft permit condition and page numbers change, the permit will become very difficult to follow unless DEC includes specific citations. Where appropriate, Norlite has included a more specific citation in the attached spreadsheet.

Norlite acknowledges your removal of the permit conditions duplicated by what are now General Condition A – CC. Consistent with these efforts, we also ask that you delete Condition 1-5 which duplicates General Condition Y.

While Norlite agrees that additional detail was necessary, the permit is too detailed in several respects. In some cases, DEC has included detailed language in the "Monitoring Description" section where the condition is essentially a "Library Condition" that does not require any specific

With respect to these conditions, Norlite is requesting that DEC consider replacing the detailed "Monitoring Description" with a more general statement of the applicable requirement cross-referenced to the applicable citation. For example, in Condition 1-83, item 1-83.2, after the first sentence the condition might state "In addition, for the cpt plan, the facility must include the information specified in 1207(f)(1) (i) through (xvii), as applicable." versus repeating the text from Subpart EEE. The absence of the detailed citations does not reduce Norlite's compliance obligations, and would greatly reduce the length and complexity of the permit.

In other cases, Norlite believes that conditions cited as "Compliance Certifications" are more appropriately framed as library conditions – requirements that are applicable to Norlite but do not impose any specific monitoring or reporting requirements. These conditions often are statements of fact not requiring specific actions by Norlite other than acknowledgement and due diligence in operation. An example is Condition 1-203, control of HAPs from equipment leaks per 40CFR63.691 (Subpart DD). While Norlite complies with the stated regulation, the condition is merely a factual statement; monitoring and recordkeeping are addressed elsewhere. These types of conditions, which are identified in the attached spreadsheet, should be revised to convert them from compliance certifications to library conditions (i.e., conditions without specific monitoring/reporting requirements), assuming DEC believes they must be included in the permit at all.

Other conditions, such as Permit Condition 1-221, monthly inspections of bypasses under Subpart DD, 40 CFR 63.693(c)(2)(i) or regenerable carbon units under 40 CFR 693(d)(4)(i), do not apply because Norlite does not own the type of equipment covered by the condition and does not intend to install such equipment in the future. In such cases, Norlite is asking DEC to delete the conditions as a way of simplifying the permit. In making this request, Norlite is aware that any future request by the company to install the equipment listed in the deleted provisions may require a Title V permit modification.

With this letter, Norlite reiterates its objections to the inclusion of conditions that reference RCRA permit module VII, such as conditions 1-168 through 1-175, and asks that they be removed. While these conditions are phrased in terms of Part 212 in the draft permit, they remain RCRA-based. DEC created these conditions prior to the Title V program. The emissions addressed by these conditions are more than adequately addressed by the facility's RCRA permit and by the conditions imposed in Norlite's Title V permit under Subpart EEE and other applicable requirements. Including these RCRA conditions in Norlite's Title V permit seriously complicates the permit administration process because any change in the air emissions component of Norlite's RCRA permit must be reflected in its Title V permit. Omitting these RCRA-based conditions from the permit is also consistent with the general approach being followed by EPA with respect to air emission sources regulated under RCRA. For example, 40 CFR Part 264 Subparts BB and CC become inapplicable by rule when the virtually identical provisions of 40 CFR Part 61, Subpart V and 40 CFR Part 63, Subparts DD and PP become effective under Title V. In light of these considerations, we again urge DEC to delete RCRA-based permit conditions from Norlite's Title V permit.

Opacity-Related Conditions

Permit Conditions 1-15 and 1-178 contain general opacity conditions for emission units C-RUSHS and M-ISCES. Norlite would like to request that the fourth paragraph of the Monitoring Description be revised as follows:

> If visible emissions are above those that are considered normal and in compliance continue to be present after corrections are made, the permittee will ~~immediately notify the Department and~~ conduct a Method 9 assessment within 24 hours to determine the degree of opacity. **The permittee will notify the Department if the Method 9 assessment shows that emissions exceed the applicable opacity standard.**

Norlite believes that it is unnecessary and inappropriate to require the company to report opacity conditions to the Department unless the conditions violate the opacity limit. The revision proposed allows Norlite to confirm that an opacity violation has occurred before reporting to the Department.

Permit Conditions 1-176 and 1-177 require that Norlite check visible emissions (VE) daily as a method to establish compliance with the identified solid particulates standard of 0.05 gr/dscf. Norlite is not aware of an established relationship between VE and the PM standard that would demonstrate compliance. Norlite requests that the DEC delete the discussion of and references to VE.

Thank you in advance for your attention to these comments. If you have any questions, regarding this letter, please feel free to call. In addition, Norlite is available to meet with you, if you feel that a meeting is the best way to resolve any outstanding issues.

Very truly yours,

SPECTRA ENVIRONMENTAL GROUP, INC.

Peter Desrochers
Principal Engineer

PD/jem
Enclosures
cc: R. Leone
T. Lachell
T. Sullivan
E. Morss

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Norlite Corporation Title V Permit
February 2004 Draft
Detailed Review of
Permit Conditions

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change				
Federally Enforceable - Facility Level				
40CFR61.242-1(d), Subpart V	24	1-11 General Standards -mark equipment distinctly from non-Subpart V equipment	This applies to "equipment leaks"per 63.680(c)(3); 683(d); and 63.691(b)(1)	NC
40CFR61.246(d) Subpart V	24	1-12 Recordkeeping –maintain design specs for closed-vent systems	This applies to "equipment leaks"per 63.680(c)(3); 683(d); and 63.691(b)(1)	NC
40CFR61.247 (a)(1) Subpart V	24	1-13 Reporting requirements - Initial notice to EPA of Subpart V equipment	This applies to "equipment leaks"per 63.680(c)(3); 683(d); and 63.691(b)(1)	NC
40CFR61.242-2(a)(1), NESHAP Subpart V	143	1-179 Compliance Certification	EU: M-ISCES. Equipment leak monitoring, all pumps. Once/month. Upper Limit: 10000 ppmv.	NC
40CFR61.242-2(a)(2), NESHAP Subpart V	144	1-180 Compliance Certification	EU: M-ISCES. Equipment leak monitoring, all pumps. Once/week for visual liquid drips.	Please delete averaging method. It is not consistent with visual inspection.
40CFR61.242-2(e)(1), NESHAP Subpart V	144	1-181 Standards for pumps: exemption for pumps with no detectable emissions	EU: M-ISCES. Exemption if no external shaft, <500ppm above background initially and annually.	D - Please delete - Norlite has no such pumps, and will elect to monitor in any case.
40CFR61.242-4, NESHAP Subpart V	145	1-182 Compliance Certification	EU: M-ISCES. Pressure relief device <500 ppm above background after reset. Upper Limit: 0 ppmw	D - Please delete - no pressure relief devices present except rupture discs which are exempt. Please also note - upper limit should be 500 ppm not 0 ppm.
40CFR61.242-6, NESHAP Subpart V	145	1-183 Standards for open ended valves or lines	EU: M-ISCES. All such line ends must be capped, plugged, blanked or double-valved.	L; NC
40CFR61.242-7(a), NESHAP Subpart V	146	1-184 Compliance Certification	EU: M-ISCES. Equipment leak monitoring, all valves. Once/month. Upper Limit: 10000 ppmv. If passes for 2 consecutive months, once/qtr.	NC
40CFR61.242-7(f), NESHAP Subpart V	147	1-185 Standards for valves: exemption for valves with no detectable emissions	EU: M-ISCES. Exempt if no external shaft, <500ppm above background initially and annually.	D - Please delete - Norlite has no such valves, and will elect to monitor in any case.
40CFR61.242-7(g), NESHAP Subpart V	147	1-186 Standards for valves: exemption for unsafe-to-monitor valves	EU: M-ISCES. Exempt if normally unsafe and have written plan to check when safe.	L; NC
40CFR61.242-7(h), NESHAP Subpart V	147	1-187 Standards for valves: exemption for difficult-to-monitor valves	EU: M-ISCES. Exempt if at high elevation, existing process unit, and monitor once/yr.	L; NC

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
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40CFR61.242-8, NESHAP Subpart V	148	1-188 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Pressure relief devices and flanges in liquid service. Monitor if visual, audible, olfactory evidence of a leak. Upper limit: 10000 ppmv.	NC
40CFR61.242-10, NESHAP Subpart V	149	1-189 Standards for delay of repair	EU: M-ISCES. Allows delay of repairs through isolation, or until S/D, or replacements obtained, or if repair results in greater emissions than leak.	L; NC
40CFR61.242-11, NESHAP Subpart V	149	1-190 Standards for closed-vent systems	EU: M-ISCES. Closed vent systems, no visual evidence and <500 ppm above background initially and annually.	L; Please cite specifically to 40 CFR 61.242-11(f).
40CFR61.242-11, NESHAP Subpart V	150	1-191 Standards for operation of closed vent systems and control devices	Operate CD at all times when emissions may be vented to them.	L; Please cite specifically to 40 CFR 61 242-11(m).
40CFR61.242-11, NESHAP Subpart V	150	1-192 Standards for vapor recovery systems	EU: M-ISCES. Vapor recovery system efficiency: =>95%	L; Please cite specifically to 40CFR 61 242-11(b).
40CFR61.243-2, NESHAP Subpart V	150	1-193 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Valve leak detection. If <=2% of valves for 2 qtrs, may skip 1 qtr leak detection period. If <=2% of valves for 5 qtrs, may skip 3 qtr leak detection periods. When >2% go back to provisions of 40CFR61.242-7 and start over.	NC
40CFR61.245(b), NESHAP Subpart V	151	1-194 Monitoring requirements	Instrument performance criteria and calibration must meet Method 21 requirements.	L; NC
40CFR61.245(c), NESHAP Subpart V	151	1-195 Monitoring requirements for no detectable emissions	Method 21 procedural methods and background level calculations. 40CFR61.245(b)(1-4).	L; NC
40CFR61.246(b), NESHAP Subpart V	152	1-196 Compliance Certification - Recordkeeping for leaking equipment.	EU: M-ISCES. Pump and valve recordkeeping requiremnts when a leak is detected.	Please note cite should be 246(c).
40CFR61.246(c), NESHAP Subpart V	153	1-197 Compliance Certification - Marking of leaking equipment.	EU: M-ISCES. Pump and valve identification (labeling) requirements when a leak is detected.	Please note cite should be 246(b).
40CFR61.246(e), NESHAP Subpart V	153	1-198 Compliance Certification	EU: M-ISCES. Equipment log lists readily accessible: (1) equipment subject to leak detection; (2) equipment < 500 ppm above background.	NC

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
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40CFR61.246(f), NESHAP Subpart V	154	1-199 Compliance Certification	EU: M-ISCES. Equipment log lists readily accessible: (1) equipment unsafe to monitor; (2) equipment difficult to monitor. Explanation for classification and planned schedule for monitoring.	NC
40CFR61.247, NESHAP Subpart V	155	1-200 Compliance Certification	EU: M-ISCES. Detailed requirements for semiannual report on leak detection activities	NC

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Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
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40CFR63.680, Subpart DD	156	1-201 General Provisions Applicability	Relationship of 40CFR63 Subpart DD to 40CFR63 Subpart A. Details of subdivisions in Subpart A overridden by Subpart DD. Mostly general conditions.	L; NC
40CFR63.683(b)(1), Subpart DD	157	1-202 Compliance Certification	EU: M-ISCES. Control of HAPs in off-site material management unit unless determine VOHAP concentration < 500ppmv. (VOHAP= Subpart DD Table 1 List)	L; NC
40CFR63.683(d), Subpart DD	158	1-203 Compliance Certification. Text taken from 680(c)(3) "applicability" and 683(d)	EU: M-ISCES. Control of HAPs from equipment leaks per 40CFR63.691; allows use of 40CFR61 Subpart V or 40CFR63 Subpart H - HON	Please revise to be a library condition, since it is a statement of fact; Norlite complies, and demonstrates this through recordkeeping requirements in other provisions within this permit.
40CFR63.688, Subpart DD	159	1-204 Standards - containers with a capacity > 121.52 gallons and in light material service	Level 2 controls - Must meet one of: (1) DOT specs; (2) no detectable organic emissions; (3) demonstrated vapor tight; (4) transfer procedures; (5) inspection.	L; Please cite specifically to 40 CFR 63.688(b)(3).
40CFR63.688, Subpart DD	159	1-205 Standards - containers with a capacity > 26.4 gal.and < 121.52 gal. or containers with a capacity > 121.52 gal. and not in light-material service.	Level 1 controls - meets one of: (1) DOT specs; (2) continuous barrier over openings; (3) open-top with vapor suppressing barrier;	L; Please cite specifically to 40 CFR 63.688(b)(1) & (2); note also that compliance may be met via Subpart PP Level 2 Controls (permit does not acknowledge this).
40CFR63.689(c), Subpart DD	160	1-206 Compliance Certification (EU=M-ISCES) (Offers (c) (1) - (3) as options; This is (3))	EU: M-ISCES. Material **transfer systems** under negative pressure. Upper Limit: 14.7 psi.	D - Please delete - Norlite does not use this option and cannot do so.
40CFR63.689(c), Subpart DD	161	1-207 Compliance Certification. (Offers (c) (1) - (3) as options. This is (1), although Norlite does not use this.)	EU: M-ISCES. Material **transfer systems**, non-individual drain systems. Openings eliminated or minimized for functionality.	D - Please delete - Norlite does not use this option and has no such units
40CFR63.689(c), Subpart DD	163	1-208 Compliance Certification. (Offers (c) (1) - (3) as options. This is (2).)	EU: M-ISCES. Material **transfer system** hard piping shall be sealed permanently (welded) or semi-permeanently (bolted/gasketed flange).	L; Please revise to a library condition, since it is a statement of fact; Norlite complies, and retains design records.
40CFR63.691, Subpart DD	163	1-209 Equipment leak standards - Subpart V option	EU: M-ISCES. HAPs from equipment leaks controlled per 40CFR61.242-247.	L; NC
40CFR63.693(b), Subpart DD	163	1-210 Compliance Certification. Cite 693(b)(4)(i): "Closed Vent System" (CVS) is the separate gas venting system to the kiln(s) from OMMUs	EU: M-ISCES. Annual inspections of **closed-vent systems** per 695(c); OR 63.172(f) - (h) HON rule. Offers options.	D - Please delete, since it is redundant to 1-223.

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40CFR63.693(b), Subpart DD	164	1-211 Compliance Certification - bypasses from "CVS" limited to few options.	EU: M-ISCES. HAPs from **closed vent system** must go to APCD at all times except required maint & malfunctions, max 240 hrs/yr; APCD must meet (b)(2) & paras. (d) - (h) as well; Norlite meets (g), but has no bypasses.	D - Please delete - Norlite does not use this option and cannot do so. If condition retained, please cite specifically to 40 CFR 63.693(b)(3).
40CFR63.693(c), Subpart DD	165	1-212 Compliance Certification. Bypasses must be monitored.	EU: M-ISCES. **Closed vent system** bypasses require flow monitors or sealing/locking devices. Seal must be broken or lock removed to activate. (Inspect monthly-see 1-221)	D - Please delete - Norlite does not use this option and cannot do so; only rupture discs "bypass" but are safety pressure relief and therefore exempt. If condition retained please cite specifically to 40 CFR 63.693(c)(2).
40CFR63.693(c), Subpart DD	166	1-213 Compliance Certification. The vent stream to be controlled shall be conveyed to the control device by either of two closed-vent systems.	EU: M-ISCES. **Closed vent system** for no detectable emissions or to operate at negative pressure. Upper Limit: 14.7psi.	Please delete all but 1st paragraph in "Monitoring Description" and make it a library condition; Norlite does not use the 2nd option and the limits (i.e parameter, upper limit, frequency, averaging) are not appropriate to the first option. Please cite specifically to 40 CFR 63. 693(c)(1)(i),(ii).
40CFR63.693(c), Subpart DD	167	1-214 Compliance Certification. Bypass controls.	EU: M-ISCES. **Closed vent system** bypass flow indicator or locking devices. Hourly records of flow and operational status of flow indicator.	D - Please delete - Norlite does not use this option and cannot do so. If condition retained please cite specifically to 40 CFR 63.693(c)(2)(i).
40CFR63.693(d), Subpart DD	167	1-215 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Nonregenerable carbon canister regularly scheduled replacement options.	Please cite specifically to 40 CFR 63.693(d)(2)(B).
40CFR63.693(d), Subpart DD	168	1-216 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Nonregenerable carbon canister monitoring. Upper limit: 500ppmv. Daily or at 20% of capacity; or change "frequently" based on 1-218 .	Please delete "Carbon Black" as process material and replace with "carbon;" alternatively this may be identified as intermttent testing or recordkeeping. Please cite specifically to 40 CFR 63.693(d)(4)(iii).
40CFR63.693(d), Subpart DD	169	1-217 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES.Regenerable carbon unit carbon replacement.	D - Please delete - Norlite does not use this option and does not forsee doing so in the future. Please cite specifically to 40 CFR 63.693(d)(4)(i)..
40CFR63.693(d), Subpart DD	170	1-218 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Nonregenerable control device carbon regularly scheduled replacement based on test or design; summarizes 693(d)(2) and (d)(2)(ii)B)	If condition retained please cite specifially to 40 CFR 63.693(d)(2)(ii)(B).
40CFR63.693(d), Subpart DD	171	1-219 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Non regenerable carbon adsorption sytem performance test demonstration.	Please cite specifically to 40 CFR 63.693(d)(2)(i).

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40CFR63.693(d), Subpart DD	171	1-220 Compliance Certification. Carbon performance specification.	EU: M-ISCES. Intermittent emission testing. Carbon adsorption sytem performance specification: =>95% TOC or =>95% total HAP.	Please revise to be a library condition, as it specifies the performance standard to be demonstrated via Conditions 1-218 or 1-219. Please cite specifically to 40 CFR 63.693(d) (1).
40CFR63.695(c), Subpart DD	172	1-221 Compliance Certification. Bypass procedures.	EU: M-ISCES. Monthly visual inspection of bypass - in closed position.	D - Please delete - Norlite does not have bypasses. No reference to 63.693(c)(2)(ii) was found in 695(c).
40CFR63.695(c), Subpart DD	172	1-222 Compliance Certification - "no-leak system" provision.	EU: M-ISCES. CVS components or connections (other than permanent or semi-permanent) - no detectable organic emissions. Monitor & inspect once/yr.	Please cite specifically to 40 CFR 63.695(c)(1)(ii)(B) .
40CFR63.695(c), Subpart DD	173	1-223 Compliance Certification - "no-leak system" provision.	EU: M-ISCES. All CVS connections permanently or semi-permanently sealed visually inspected once/yr. No detectable organic emissions must be demonstrated for any repairs.	Please cite specifically to 40 CFR 63.695(c)(1)(ii)(A).
40CFR63.695(c), Subpart DD	174	1-224 Compliance Certification - "no-leak system" provision.	EU: M-ISCES. CVS monitoring to demonstrate no detectable emissions **upon initial startup.**	D - Please delete - the compliance date is long past, and is no longer relevant. If condition retained please cite specifically to 40 CFR 63.695(c)(1)(i).
40CFR63.695(c), Subpart DD	174	1-225 Compliance Certification. - "low-pressure system" option.	EU: M-ISCES. Negative pressure CVS visual inspection for defects at initial installation and annually.	D - Please delete - Norlite does not use this option and cannot do so; the system is designed to operate under both negative and positive pressure. If condition retained please cite specifically to 40 CFR 63.693(c)(1)(i).
40CFR63.696, Subpart DD	175	1-226 Compliance Certification.	EU: M-ISCES. Reporting requirements per 40CFR63.697.	Citation to 40 CFR 63.696 is incorrect. Please revise citation to 40 CFR 63.697.
40CFR63.696, Subpart DD	176	1-227 Compliance Certification.	EU: M-ISCES. Recordkeeping requirements per 40CFR63.696.	NC
40CFR63.924(c)(1), Subpart PP	176	1-228 Compliance Certification. **This is for level 3 controls; Norlite may elect to use Level 3.**	EU: M-ISCES. Permanent total enclosure per Procedure T. Verify initially and annually.	D - Please delete - Norlite does not use this option and prefers not to do so.
40CFR63.924(c)(2), Subpart PP	177	1-229 Closed-vent system and control device for Level 3 containers. **If Norlite does not elect to use Level 3, this would not be needed.**	CVS and control device designed and operated per 40CFR63.693.	D - Please delete - Norlite does not use this option and prefers not to do so.
40CFR63.924(d), Subpart PP	177	1-230 Safety devices. **If Norlite does not elect to use Level 3, this would not be needed.**	Safety devices, as defined in §63.921, may be installed and operated as necessary on any container, enclosure, closed-vent system, or control device used to comply with this section.	D - Please delete - Norlite does not use this option and prefers not to do so.

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40CFR63.926(a), Subpart PP	177	1-231 Inspection and monitoring procedures for Container Level 1 and 2 controls	Containers visually inspected before acceptance, if not emptied within 24 hrs. Containers remaining at facility must be visually inspected annually.	NC

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40CFR60.672(c), Subpart OOO	39	1-16 Compliance Cert, Opacity 15% for crushers without capture systems.	EU: C-RUSHS, Proc:OOO. Library Condition for 1-17.	Please delete or revise to a non-applicability statement - Norlite has no new or modified units subject to this provision.
40CFR60.675(c), Subpart OOO	39	1-17 Compliance Cert, Opacity 15% for fugitives; new unit testing.	EU: C-RUSHS, Proc:OOO.Replaces Cond 47; 3-hr or 1-hr opacity test for new units.	Please delete or revise to a non-applicability statement - Norlite has no new or modified units subject to this provision.

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40CFR63.4, Subpart A	25	37 Prohibitions – Must meet Part 63 even if not in permit	The facility is required to comply with Part 63 requirements regardless of whether those requirements have been included in a Title V	NC
40CFR63.4, Subpart A	25	38 § 63.10(b) Part 63 General Recordkeeping Requirements – 5 year	The owner or operator of a source subject to the provisions of 40CFR63.4, Subpart A shall maintain files of all required information readily available for inspection and review.	NC
40CFR63.10(d) Subpart A	25	39 §63.10(d) Part 63 General Reporting Requirements	The owner or operator of a source subject to the reporting requirements shall submit reports to the Department in accordance with the reporting requirements	NC
40CFR68	26	1-14 Accidental release provisions.	If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in quantities greater than the threshold quantity, RMP applies.	Please revise to a non-applicability statement - Norlite has no units subject to this provision.

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6NYCRR201-6	15	23 Emission Unit Definition - Describes Emissions units and function.	General requirement of all T5 permits.	NC
6NYCRR201-6.5(c)	17	1-1 Recordkeeping - information that must be included in any required compliance monitoring records and reports, format of reports	General requirement of all T5 permits.	NC
6NYCRR201-6.5(c)(2)	17	1-2 Monitoring, Recordkeeping, and Reporting - general 5 year retention policy, records to be kept	General requirement of all T5 permits.	NC
6NYCRR201-6.5(c)(3)(ii)	18	1-3 Compliance Cert - Semi-Ann monitor report	General requirement of all T5 permits.	NC
6NYCRR201-6.5(e)	19	1-4 Compliance Cert - Annual compliance certification	General requirement of all T5 permits.	NC
6NYCRR201-1.1	21	1-5 Required Emissions Tests - Facility Level; Generic, test upon request		D - Please delete - Duplicate of Gen Cond Y.
6NYCRR201-1.2	21	1-6 Prior Notification to DEC for 1-5 tests – Generic	General requirement of all T5 permits.	NC
6NYCRR201-2.1	21	29 Compliance Cert - Annual Emission Statement	General requirement of all T5 permits.	NC
6NYCRR202-2.5	21	30 5- year recordkeeping requirements for emission statements	General requirement of all T5 permits.	NC
6NYCRR212.4(a)	22	1-7 Compliance Cert - Part 373 Expiration Clause/ T5 re-opener	T5 and Part 373 need to be separated each for its own purpose; no overlap or duplication needed or desirable.	D - Please delete - Part 373 Permit is independent of the Title V permit (See cover letter).
6NYCRR225-1.2(a)(2)	22	1-8 Compliance Cert - Distillate oil sulfur limit 1.5%. Retain sulfur certifications.	Requirement for any facility burning distillate oil.	NC
6NYCRR225-1.2(a)(2)	23	1-9 Compliance Cert - Residual oil sulfur limit. Retain sulfur certifications.	Requirement for any facility burning distillate oil.	NC
6NYCRR225-2.7(d)	23	1-10 Availability of records for Department inspection.	General requirement of all T5 permits.	NC
6NYCRR201-6	27	45 Emission Point Definition By Emission Unit	General requirement of all T5 permits.	NC
6NYCRR201-6	28	46 Process Definition By Emission Unit	General requirement of all T5 permits.	Please amend Item 46.8 as specified in the cover letter.
6NYCRR212.6(a)	38	1-15 Compliance Cert, if VE "Abnormal" do Opacity - 20% limit	EU=C-RUSHS: Perform Method 9 if abnormal VE.	Please revise as discussed in cover letter.
6NYCRR225-2.3(b)(3)	40	1-19 Compliance Cert - combustion efficiency limit	EU: K-ILNSG, Proc: KAF. 99% Via Siemens/CISCO Ultramat 5E	D - Please delete - Continuous CO/ O2 monitor provides surrogate monitoring; DRE as defined by the CPTadequately demonstrates combustion efficiency, and is limited elsewhere in the permit.
6NYCRR225-2.3(b)(3)	41	1-20 Compliance Cert - CO Upper limit	EU: K-ILNSG, Proc: KAF. 500 ppm Via Siemens/ CISCO Ultramat 5E	Please delete instrument brand & model, to allow unit replacement without Title V modification.
6NYCRR225-2.4(a)(2)	42	1-21 Compliance Cert - Waste Fuel A, PCB limit	EU: K-ILNSG, Proc: KAF. 50 ppm Max - Retain fuel analyses per load – 5 yr	NC

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6NYCRR225-2.4(a)(2)	42	1-22 Compliance Cert - Waste Fuel A Pb limit	EU: K-ILNSG, Proc: KAF. 250 ppm Max - Retain fuel analyses per load – 5 yr	NC
6NYCRR225-2.4(a)(2)	43	1-23 Compliance Cert - Waste Fuel A, Halogens limit	EU: K-ILNSG, Proc: KAF. 1000 ppm Max - Retain fuel analyses per load – 5 yr	NC
6NYCRR225-2.4(a)(2)	44	1-24 Compliance Certification - Waste Fuel A, Heat Content limit	EU: K-ILNSG, Proc: KAF. 125000 Btu Min -Retain fuel analyses per load – 5 yr	NC
6NYCRR225-2.4(a)(2)	44	1-25 Compliance Certification - Waste Fuel A Chem waste limit	EU: K-ILNSG, Proc: KAF. Waste Fuel A must meet the definition specified in Part 225-2.2(b)(9). Specifically, the fuel shall contain no chemical waste.	Please delete, or make a library condition; 225-2.4(a)(2) requires submittal of "fuel analyses representative of the waste fuel to be burned and acceptable to the commissioner"; "Chem waste" is not defined, and no limit or method are identified to determine compliance.
6NYCRR212.3(b)	135	1-168 Compliance Certification - PM emission limit.	EU: K-ILNSG, EP00001. PM Intermittent emission testing Upper Limit: 0.08 g/dscf @ 7% O2.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.3(b)	136	1-169 Compliance Certification - SO2 emission limit.	EU: K-ILNSG, EP00001. Intermittent emission testing. SO2 Upper Limit: 30 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.4(b)	136	1-170 Compliance Certification - total BTU firing limit.	EU: K-ILNSG, EP00001. Waste/fuel firing rate shall not exceed 62 mmBTU/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.10(c)	137	1-171 Compliance Certification - NOx emission limit.	EU: K-ILNSG, EP00001. Intermittent emission testing. NOx Upper Limit: 61 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.3(b)	137	1-172 Compliance Certification - SO2 emission limit.	EU: K-ILNSG, EP00002. Intermittent emission testing SO2 Upper Limit: 30 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.3(b)	138	1-173 Compliance Certification - PM emission limit.	EU: K-ILNSG, EP00002. PM Intermittent emission testing Upper Limit: 0.08 g/dscf @ 7% O2.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.4(b)	138	1-174 Compliance Certification - total BTU firing limit.	EU: K-ILNSG, EP00002. Waste/fuel firing rate shall not exceed 62 mmBTU/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.10(c)	139	1-175 Compliance Certification - NOx emission limit.	EU: K-ILNSG, EP00002. Intermittent emission testing. NOx Upper Limit: 61 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.
6NYCRR212.4(c)	140	1-176 Compliance Certification - PM emission limit, VE-based.	EU: K-ILNSG, EP0003A. Emissions of solid particulates are limited to less than 0.050 gr/dscf.; Intermittent emission testing for VE once/day (similar to Method 22) if stack test not specified.	Please see cover letter; revise to separate PM and VE; opacity is not a surrogate for PM.
6NYCRR212.4(c)	141	1-177 Compliance Certification - PM emission limit, VE-based.	EU: K-ILNSG, EP0003B. Emissions of solid particulates are limited to less than 0.050 gr/dscf.; Intermittent emission testing for VE once/day (similar to Method 22) if stack test not specified.	Please see cover letter; revise to separate PM and VE; opacity is not a surrogate for PM.

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6NYCRR212.6(a)	142	1-178 Compliance Certification	EU: M-ISCES. No VE above normal (which may be zero).	Please see cover letter; revise consistent with Cond.1-15
6NYCRR212.6(a)	178	1-232 Compliance Certification	EU: S-TANKS. Daily VE.	Please delete; Tank VE is highly unlikely, since only small quantities of organic vapors are emitted.
ECL 19-0301	180	1-233 Contaminant List	The listed contaminants are subject to contaminant specific requirements in the permit(emission limits, control requirements or compliance monitoring.	NC
6NYCRR201-1.4	181	130 Unavoidable noncompliance and violations - SSM Plan	Start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. Recordkeeping and reporting requirements.	NC
6NYCRR211.2	182	134 Air pollution prohibited	General duty clause. General requirement of all T5 permits.	NC
State Only Conditions - Emission Unit Level				
6NYCRR212.3(b)	183	1-234 Compliance Demonstration	EU: K-ILNSG. EP00001. Toxic metals input limits. Shall not exceed, lb/hr/kiln. Sb 2.06E-05; As 3.11E-05; Ba 8.64E-05; Be 5.06E-06;Cd 3.44E-04; Cr(T) 1.39E-04; Cr(VI) 1.95E-05; Cu 5.43E-04; Pb 7.00E-05; Hg 1.75E-03; Ni 1.79E-03; Se 1.99E-04; Ag 2.14E-04; Tl 2.53E-05; Zn 3.57E-03.	D - Please delete; "toxic metals" are not defined in Part 212 - Limit derived from Part 373 Permit, which is independent of the Title V permit. See cover letter. Please also note, the quantities stated are air emission rates not feed rates.
6NYCRR212.4(a)	184	1-235 Compliance Demonstration	EU: K-ILNSG. EP00001. Total Cl fed to kiln <=73lb/hr (LGF+kiln oil+shale). Waste Analysis Plan for LGF and shale.	D - Please delete - Limit derived from Part 373 Permit, which is independent of the Title V permit. See cover letter.
6NYCRR212.4(b)	185	1-236 Compliance Demonstration	EU: K-ILNSG. EP00001. Emissions of toxic metals per Table 212.9(b).	D - Please delete; "toxic metals" are not defined in Part 212; Limit derived from Part 373 Permit, which is independent of the Title V permit. See cover letter.
6NYCRR212.3(b)	185	1-237 Compliance Demonstration	EU: K-ILNSG. EP00002. Toxic metals input limits. Shall not exceed, lb/hr/kiln. Sb 2.06E-05; As 3.11E-05; Ba 8.64E-05; Be 5.06E-06;Cd 3.44E-04; Cr(T) 1.39E-04; Cr(VI) 1.95E-05; Cu 5.43E-04; Pb 7.00E-05; Hg 1.75E-03; Ni 1.79E-03; Se 1.99E-04; Ag 2.14E-04; Tl 2.53E-05; Zn 3.57E-03.	D - Please delete; "toxic metals" are not defined in Part 212 - Limit derived from Part 373 Permit, which is independent of the Title V permit. Please also note, the quantities stated are air emission rates not feed rates. See cover letter.
6NYCRR212.4(a)	186	1-238 Compliance Demonstration	EU: K-ILNSG. EP00002. Total Cl fed to kiln <=73lb/hr (LGF+kiln oil+shale). Waste Analysis Plan for LGF and shale.	D - Please delete - Limit derived from Part 373 Permit, which is independent of the Title V permit. See cover letter.

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6NYCRR212.4(b)	188	1-239 Compliance Demonstration	EU: K-ILNSG. EP00002. Emissions of toxic metals per Table 212.9(b).	D - Please delete; "toxic metals" are not defined in Part 212; Limit derived from Part 373 Permit, which is independent of the Title V permit. See cover letter.

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SPECTRA
ENVIRONMENTAL GROUP, INC.
ENGINEERING, ARCHITECTURE & SURVEYING, P.C.

July 2, 2004

Mr. Bruce O'Neill
Environmental Engineer 1
New York State Department of Environmental Conservation
1150 North Westcott Road
Schenectady, NY 12306-2014

RECEIVED
JUL 0 6 2004
YOUNG, SOMMER ... LLC

RE: Norlite Corporation Title V Permit
DEC # 4-0103-0015/00048; February 2004 Draft

Dear Mr. O'Neill:

On behalf of Norlite Corporation (Norlite), Spectra Environmental Group, Inc. (Spectra) is hereby submitting the remaining comments and observations concerning Norlite's Draft Title V air permit of February 4, 2004. This letter provides comments on 40 CFR Part 63, Subpart EEE. A condition-by-condition summary is included in the accompanying table. For ease of reference we have repeated comments found in our June 15, 2004 letter where those comment are also relevant to Subpart EEE permit conditions.

General Comments

Once again, Norlite appreciates the attention to detail that was invested in the draft permit. In general, the permit conditions were found to be on target. Our comments and suggestions as follows are primarily intended to focus and streamline the permit.

1. Many of the Subpart EEE conditions are very lengthy quotations/paraphrases from 40 CFR 63. With respect to these conditions, Norlite is requesting that DEC consider replacing the detailed "Monitoring Description" with a more general statement of the applicable requirement cross-refereneed to the applicable citation. For example, in Condition 1-83, item 1-83.2, after the first sentence the condition might state "In addition, for the CPT plan, the facility must include the information specified in 1207(f)(1)(i) through (xvii), as applicable" as opposed to repeating the full text from Subpart EEE. Eliminating the detailed text does not reduce Norlite's compliance obligations, and would greatly reduce the length and complexity of the permit. This approach also would any prevent any unintentional inaccuracies or ambiguities from being introduced when regulations are paraphrased. Where Norlite is requesting this change, the detailed table includes the following statement: "Please consider removing this text for brevity; See cover letter."

2. Norlite believes that certain conditions cited as "Compliance Certifications" are more appropriately framed as library conditions – requirements that are applicable to Norlite but do not impose any specific monitoring or reporting requirements, or refer to broad sections of Subpart EEE addressed more specifically in other conditions. These conditions often are statements of fact not requiring specific actions by Norlite, other than acknowledgement and due diligence in

operation. An example is Condition 1-29, a cross reference table from 40 CFR Part 63 Subpart EEE to Subpart A. While Norlite believes that the facility complies with the applicable portions of the regulations cited, the condition is a factual statement; monitoring and recordkeeping are addressed elsewhere. These types of conditions, which are identified in the attached table, should be revised to convert them from compliance certifications to library conditions (i.e., conditions without specific monitoring/reporting requirements); in some cases DEC may wish to delete them altogether from the permit.

3. With this letter, Norlite also reiterates its objections to the inclusion of conditions that reference RCRA permit module VII, such as condition 1-18, and asks that they be removed. Condition 1-18 cites 40 CFR Part 63.1205(c)(2) as the applicable regulation, but reiterates the RCRA-based prohibition on combustion of dioxin-containing wastes. Subpart EEE contains specific treatment standards and notification requirements for the identified wastes, but is not a prohibition. The emissions addressed by this and other similar conditions are more than adequately addressed by the facility's RCRA permit and by the conditions imposed in Norlite's Title V permit under Subpart EEE and other applicable requirements. See Norlite's June 15, 2004 letter for additional discussion of this issue.

Comments Regarding the CPT, OPLs and the NOC

The permit contains numerous conditions that attempt to capture many parameters, for several different process sources, all established by the Comprehensive Performance Test (CPT), as reported in the Notification of Compliance (NOC). These conditions are found in Permit Conditions 1-78 through 1-80, 1-95, 1-116 through 1-129, 1-138 through 1-143, and elsewhere. These CPT-related conditions pose several problems. The conditions include numerous operating parameter limits (OPLs) that Norlite presumes are based on the company's recent CPT as reflected in its most recent NOC. However, the numbers in the permit do not accurately reflect the information in the NOC. The limits in the permit must, at minimum, reflect those found in the most recent NOC.

More generally, DEC's decision to include OPLs in the permit poses serious permit management problems. Norlite must conduct a CPT once during the permit term. The OPLs in the permit will change based on the CPT (as embodied in Norlite's NOC). Once the NOC is final OPLs in the permit will become outdated and the permit will need to be immediately modified. This poses a significant burden for both DEC and Norlite. The burden is doubled because different OPLs can be set for each process. To address this problem, Norlite is proposing the following changes to the permit. The strategy outlined below calls for DEC to incorporate the most recent NOC by reference rather than including the OPLs from the most recent NOC in the permit itself.

1. Conditions 1-78 through 1-80 address multiple citations in Subpart EEE, Sections 1206 and 1207, describing the contents of the facility operation and maintenance (O&M) Plan, and performance of the CPT and the ct. A more specific regulatory citation is requested, to clearly identify each condition. Also, reporting compliance with the O&M plan semi-annually is reasonable, but is only required "Upon request"; conversely for the CPT and ct compliance certifications are required semi-annually; the latter conditions should be library conditions or reported "upon request", since these will generally not occur during a given reporting period.

2. To streamline compliance certifications and to reduce the complexity of the permit, Norlite would prefer that Condition 1-95 be re-stated as a compliance certification, with each sub-paragraph and corresponding citation referring to the associated parameter and citation in Norlite's "most recent

Notification of Compliance" submitted to the DEC. For example, Item 1-95.3 currently states: "To comply with the destruction and removal efficiency (DRE) standard, the permittee must establish operating limits as per 63.1209(j) of this subpart." As a compliance certification this could be restated: "To comply with the destruction and removal efficiency (DRE) standard, the permittee must monitor and record performance in accordance with the operating parameter limits of 63.1209(j) of this subpart, as specified in the facility's most recent NOC."

Continuing with citations in this manner for each subsequent parameter in Condition 1-95, Conditions 1-116 through 1-129, 1-138 through 1-143, and 1-152 through 1-156 could then be eliminated, allowing for a more straightforward compliance certification. This would also allow DEC and Norlite representatives to compare current kiln and control device performance to the OPL established in the CPT, by simply referring to the NOC submitted by Norlite after each CPT, eliminating the need to undertake a permit modification every time a new CPT is conducted and the OPLs change. An example summary of OPLs that might be provided in the NOC is attached as Table1 to illustrate this concept.

3. The approach outlined above is further required because each of the kilns can have different performance standards reported in the NOC. As currently proposed, the existing permit does not address this problem. Following the existing format, the permit would require another 30 or more conditions to address different kiln OPLs, should they vary; Norlite wishes to avoid that approach, if possible.

4. Norlite believes that the conditions arising out of the CPT/NOC can adequately be addressed by revising Permit Condition 1-95 as outlined above. If DEC believes that the remaining conditions (1-116 through 1-129, 1-138 through 1-143, and 1-152 through 1-156) must be retained, DEC should delete numerical limits and specify the compliance limit is that from the most recent CPT, as reported in the corresponding NOC. This approach would ensure that each OPL is subject to its own permit conditions while avoiding the need to modify the permit every time the parameters change.

Non-Applicability of Conditions

1. Only the baghouses and venture scrubber on each kiln, K1CT2/K2CT2 and K1CT3/K2CT3 are used for purposes of Subpart EEE compliance. Therefore all Subpart EEE conditions regarding the multiclones (K1CT1/K2CT1), the MMV Contactors (K1CT4/K2CT4) and the Ducon mist eliminators (K1CT5/K2CT5) should be deleted, since these units are not used to comply with Subpart EEE. Accordingly, Norlite requests that DEC delete Permit Conditions 1-137, 1-144 through 1-151, and 1-158 through 1-164 from permit.

2. Fan amperage is proposed by the DEC as a surrogate OPL for volumetric flow rate for K1CT3 and K2CT3 in Permit Conditions 1-142 and 1-157 respectively; Norlite does not concur with this surrogate OPL and requests deletion of the conditions.

3. Other conditions, such as Conditions 1-64 through 1-68, applicable to Emergency Safety Vents (ESVs) under 40 CFR 63.1206(c)(3) and (4), do not apply because Norlite does not own the type of equipment covered by the condition and does not intend to install such equipment in the future. In such cases, Norlite is asking DEC to delete the conditions as a way of simplifying the permit. In making this request, Norlite is aware that any future request by the company to install the equipment listed in the deleted provisions may require a Title V permit modification.

Other Streamlining of Provisions

1. The training provisions cited in Conditions 1-70 through 1-75 may be combined without any adverse impact to compliance; with the exception that 1-72 applies to hazardous waste incinerators, and should be deleted.

2. Conditions 1-26 through 1-28 and 1-165 through 1-167 are identical, except that different processes (KAF vs, KNF) are addressed. Norlite requests that conditions 1-26 through 1-28 apply to the emission unit overall and therefore 1-165 through 1-167 may be deleted.

We appreciate your continued attention to these comments. If you have any questions regarding this letter, please feel free to call. As before, Norlite is available to meet with you, if you feel that a meeting is the best way to resolve any outstanding issues.

Very truly yours,

SPECTRA ENVIRONMENTAL GROUP, INC.

Peter Desrochers
Principal Engineer

PD/jem
Enclosures

cc: R. Leone
T. Lachell
T. Sullivan
E. Morss

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Norlite - 40 CFR 63 Subpart EEE Applicability and Permit Conditions

Applicable To [1]	Condition	Emission Source	Units	Operating Parameter Limit [2]	Max/Min	40CFR63 Subpart EEE Citation	Summary Description
Kiln #1 & #2	1-116					1209(i)	Multiple standards.
Kiln #1 & #2	1-117		degF	875	Min.	1209(j)(1)	Min. combustion temp.
Kiln #1 & #2	1-118		tph	22	Max.	1209(j)(2)	Max. prod. rate.
Kiln #1 & #2	1-119		gpm	10.1	Max.	1209(j)(3)	Max. HW feedrate.
Kiln #1 & #2	1-120					1209(j)(4)	Spec. param. & limits
Kiln #1 & #2	1-121		degF	400	Max.	1209(k)(1)(ii)	Max. chamber exit temp.
Kiln #1 & #2	1-122		pph	0.0105	Max.	1209(l)(1)	Max. total Hg feedrate.
Kiln #1 & #2	1-123			?		1209(l)(2)	Scrubber limits.
Kiln #1	1-138	K1CT3	In. H_2O	2	Min.	1209(m)(1)(i)(A)	Min. press. drop. HE scrubber.
Kiln #2	1-152	K2CT3	In. H_2O	2	Min.	1209(m)(1)(i)(A)	Min. press. drop. HE scrubber.
Kiln #1	1-139	K1CT3	%	40	Min.	1209(m)(1)(i)(B)(4)	Blowdown volume.
Kiln #1	1-140	K1CT3	gpm	15	Min.	1209(m)(1)(i)(B)(4)	Blowdown rate.
Kiln #2	1-153	K2CT3	%	40	Min.	1209(m)(1)(i)(B)(4)	Blowdown volume.
Kiln #2	1-154	K2CT3	gpm	15	Min.	1209(m)(1)(i)(B)(4)	Blowdown rate.
Kiln #1 & #2	1-125		pph	3.735	Max.	1209(n)(2)(i)(A)	Max.Cd, Pb feedrate.
Kiln #1 & #2	1-124		pph	4.068	Max.	1209(n)(2)(i)(B)	Max. As, Be, Cr feedrate.
Kiln #1 & #2	1-126			?		1209(n)(2)(ii)	Feedrate extrap. for metals.
Kiln #1 & #2	1-127		pph	73	Max.	1209(n)(4)	Max. Cl/Cl- feedrate.
Kiln #1 & #2	1-128		pph	73	Max.	1209(o)(1)	Max. Cl/Cl- feedrate.
Kiln #1	1-141	K1CT3	pH	7.9	Min.	1209(o)(3)(iv)	Min. pH.
Kiln #2	1-155	K2CT3	pH	7.9	Min.	1209(o)(3)(iv)	Min. pH.
Kiln #1	1-142	K1CT3	amps	405	Max.	1209(o)(3)(v)	Max fluegas flow rate??
Kiln #1	1-143	K1CT3	gpm	175	Min.	1209(o)(3)(v)	Min. water flowrate.
Kiln #2	1-156	K2CT3	gpm	175	Min.	1209(o)(3)(v)	Min. water flowrate.
Kiln #2	1-157	K2CT3	amps	405	Max.	1209(o)(3)(v)	Max fluegas flow rate??
Kiln #1 & #2	1-129		In. H_2O	0	Max.	1209(p)	Max. chamber pressure.

(1) Conditions applicable to both kilns will require separate citations, unless combined under condition 1-95 as proposed.

(2) Limits stated are not correct per the most recent cpt; the correct ones will be provided in the NOC due August 26, 2004. However pursuat to the discussion in the cover letter. Numerical limits should remain only in the NOC.

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change				
40CFR63, Subpart EEE	25	40 Compliance Certification; Subpart EEE Vacate Clause/ T5 re-opener	Requires the DEC to initiate a permit modification if 40 CFR 63 Subpart EEE is vacated during the term of the permit.	D - Please delete - not a Norlite action.
40CFR63.1205(c)(2), Subpart EEE	40	1-18 Compliance Certification; Prohibits FO20, FO22, FO23, FO26, or FO27 combustion.	EU: K-ILNSG; Provision requires 99.9999% DRE, but does not prohibit combustion of the referenced wastes; must notify of intent to burn these wastes.	L; Please restate in accordance with 40CFR63 Subpart EEE; however, Norlite does not burn these wastes.
40CFR63.1209(q), Subpart EEE	45	1-26 Operations under different modes of operation - must specify limits & conditions.	EU: K- ILNSG; Proc=KAF. Requires development of alternate limits if operating outside of current specifications; e.g.use of new fuel or production methods.	L; Please Apply to Emission Unit overall, so that processes KAF and KNF are both addressed (Delete 1-165). Also see cover letter.
40CFR63.1209(q)(1), Subpart EEE	45	1-27 Operations when residence time has expired.	EU: K- ILNSG; Proc=KAF. Transition to other mode in 1-26 after LGF residence time has expired	L; Please Apply to Emission Unit overall, so that processes KAF and KNF are both addressed (Delete 1-166). Also see cover letter.
40CFR63.1209(q)(2), Subpart EEE	46	1-28 Calculating rolling averages under different modes of operation.	EU: K- ILNSG; Proc=KAF. Offers methods of calculation of CO, other parameters for 1-26, 1-27 above	L; Please Apply to Emission Unit overall, so that processes KAF and KNF are both addressed (Delete 1-167). Also see cover letter.
40CFR63, Subpart A	46	1-29 Compliance Certification; comparison of EEE provisions with general ones of 40 CFR 63 Subpart A	EU:K-ILNSG; Proc=KHF. Invokes EEE Table 1 conditions already identified elsewhere.	L; Please revise to a library condition, since it is a statement of fact; Norlite complies through the other provisions of the permit.
40CFR63.1205(a)(1), Subpart EEE	46	1-30 Compliance Certification; Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing: dioxin/furan. Upper limit: 0.2 ng, or temperature quench to 400 deg F or lower.	Please delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(a)(2), Subpart EEE	47	1-31 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for Hg. Upper limit: 120ug.	Please correct test method citation to, 40CFR60, Method 29 (not 40CFR63), and delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(a)(3), Subpart EEE	48	1-32 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF Intermittent testing for Cd, Pb (combined). Upper limit: 250ug.	Please correct test method citation to 40CFR60, Method 29 (not 40CFR63), and delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(a)(4), Subpart EEE	49	1-33 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for As, Be, Cr (combined). Upper limit: 110ug.	Please correct test method citation to 40CFR60, Method 29 (not 40CFR63), and delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(a)(5)(i), Subpart EEE	49	1-34 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. CEM for CO. Upper Limit:100 ppm. Siemens/CISCO Ultramat 5E. Also testing to meet 1207, 1208, 1209?	Please remove instrument name and model to allow for equipment replacement without permit modification; and delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(a)(5)(ii), Subpart EEE	50	1-35 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for Hydrocarbons per 1207, 1208. Upper Limit: 20 ppm.	Please delete last sentence in Monitoring Description, which is too broad to certify to.

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40CFR63.1205(a)(6), Subpart EEE	51	1-36 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for HCl & Cl2 per 1207, 1208. Upper Limit: 600 ppm.	Please cite specific Test Method(s) under "Reference Test method"; and delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(a)(7), Subpart EEE	51	1-37 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for PM per 1207, 1208. Upper Limit: 57mg/m3.	Please correct to specified Method 5 or 5I (not 51); and delete last sentence in Monitoring Description, which is too broad to certify to.
40CFR63.1205(c)(1), Subpart EEE	52	1-38 Compliance Certification; Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for DRE for POHC (Principal Organic Hazardous Constituent) per 1207, 1208. Lower Limit: 99.99%.	"Regulated Contaminant" cited (HAP) is not consistent with text (POHC); DRE calculation is not "Intermittent Emission Testing" but "Record-keeping". Please cite specific Test Method under "Reference Test Method" if testing is desired. Please delete next to last sentence in monitoring description, which is too broad to certify to.
40CFR63.1205(d), Subpart EEE	53	1-39 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermediate calculations under 1205(a)&(b) must have 3 significant figures, but may round to 2 to document compliance.	NC
40CFR63.1206(b)(1), Subpart EEE	53	1-40 Periods when emission units are not subject to Subpart EEE.	EU: K-ILNSG; Proc=KHF. Subpart EEE not applicable during SSM and when no hazardous waste is combusted	L; NC
40CFR63.1206(b)(2), Subpart EEE	53	1-41 Methods for determining compliance with Subpart EEE.	EU: K-ILNSG; Proc=KHF. Perfomance testing must be done at extreme end of normal operating conditions.	L; NC
40CFR63.1206(b)(3), Subpart EEE	54	1-42 Findings of compliance.	EU: K-ILNSG; Proc=KHF. Administrator's findings of compliance per 40 CFR 63(f)(3)	D. Please delete - not a Norlite action.
40CFR63.1206(b)(5), Subpart EEE	54	1-43 Compliance Certification. Design or operation changes that may affect HAPs.	EU: K-ILNSG; Proc=KHF. Changes to practices, etc for params. not monitored with CEMS (HAPs) require new CPT.	NC
40CFR63.1206(b)(6), Subpart EEE	55	1-44 Compliance Certification; use of CO monitoring as a DRE surrogate.	EU:K-ILNSG; Proc=KHF. Use of DRE testing and CO CEMS to demonstrate compliance with CO, HC standards.	NC
40CFR63.1206(b)(7), Subpart EEE	56	1-45 Documentation of Compliance with DRE standard.	EU: K-ILNSG; Proc=KHF. DRE testing requirements.	L; NC
40CFR63.1206(b)(8), Subpart EEE	57	1-46 Compliance Certification, allows exceptions to limits for PM CEMS tests.	EU: K-ILNSG; Proc=KHF. Opacity and PM standards as HAP surrogates not applicable when conducting CEMS correlation tests.	D. Please delete - Norlite is not required to have PM CEMS nor does it have one.
40CFR63.1206(b)(11), Subpart EEE	58	1-47 Calculation of hazardous waste residence time.	EU: K-ILNSG; Proc=KHF. Calculation must be in performance test plan. Residence time must be in compliance documentation.	L; NC

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40CFR63.1206(b)(12), Subpart EEE	58	1-48 Documenting compliance with the emission standards based on performance testing.	EU: K-ILNSG; Proc=KHF. Performance testing requirements under Subpart EEE, average of 3 runs demonstrates compliance with DRE; individual test runs must also comply.	L; NC
40CFR63.1206(c)(1), Subpart EEE	59	1-49 General operating requirements, operate as permitted.	EU: K-ILNSG; Proc=KHF. Operate only under requirements as specified in DOC or NOC	L; NC
40CFR63.1206(c)(2), Subpart EEE	59	1-50 Identification of projected oxygen correction factor.	EU: K-ILNSG; Proc=KHF. Identify the oxygen correction factor for periods of SSM.	L; Please cite specifically to 1206(c)(2)(iii).
40CFR63.1206(c)(2), Subpart EEE	59	1-51 Recording of Startup/Shutdown/ Malfunction (SSM) plan.	EU: K-ILNSG; Proc=KHF. Must place the SSM plan in the operating record.	L; Please cite specifically to 1206(c)(2)(iv).
40CFR63.1206(c)(2), Subpart EEE	60	1-52 Compliance Certification. Must confirm facility follows SSM plan.	EU: K-ILNSG; Proc=KHF. Reiterates 40 CFR 63 SSM plan requirements, and documentation that plan is followed.	L; Please cite specifically to 1206(c)(2)(v).
40CFR63.1206(c)(2), Subpart EEE	60	1-53 Compliance Certification. All AWFCO conditions apply during SSM, w/exceptions; 10-exceedance reporting.	EU: K-ILNSG; Proc=KHF. HAPs - AWFCO requirements continue to apply except as stated during malfunction; report each 10 exceedances with waste in chamber within 45 days.	Please cite specifically to 1206(c)(2)(v)(A).
40CFR63.1206(c)(2), Subpart EEE	61	1-54 Compliance Certification. Haz Waste feed during SSM periods.	EU: K-ILNSG; Proc=KHF. HAPs - Hazardous waste feed requirements during startup and shutdown.	Please cite specifically to 1206(c)(2)(i)-(iv).
40CFR63.1206(c)(2), Subpart EEE	62	1-55 Compliance Certification - SSM plan requirements.	EU: K-ILNSG; Proc=KHF. Detailed requirements of SSM malfunction descriptions, submittal, approval.	D. Please delete. Norlit is never in SSM mode when feeding hazardous waste. Therefore, this condition can never apply. If this condition remains cite specifically to 1206(c)(2)(ii).
40CFR63.1206(c)(3), Subpart EEE	63	1-56 Corrective measures. Investigate AWFCO.	EU: K-ILNSG; Proc=KHF. Investigate AWFCO if any standard or operating requirement is exceeded after any waste cut-off.	L. Please cite specifically to 1206(c)(3)(i)(A) - (D).
40CFR63.1206(c)(3), Subpart EEE	63	1-57 Ducting of combustion gases during AWFCO event.	EU: K-ILNSG; Proc=KHF. During AWFCO event combustion gases must be ducted to APCD while waste remains in combustion chamber.	L. Please cite specifically to 1206(c)(3)(ii).
40CFR63.1206(c)(3), Subpart EEE	64	1-58 Failure of the AWFCO system is a failure to comply with requirement.	EU: K-ILNSG; Proc=KHF. Facility has failed to comply with AWFCO req'ts if AWFCO fails to cutoff waste feed if any compliance parameter exceeded.	L. Please cite specifically to 1206(c)(3)(iv).
40CFR63.1206(c)(3), Subpart EEE	64	1-59 Restarting waste feed. Must not restart until operating parameters within specified limits.	EU: K-ILNSG; Proc=KHF. Must not restart until all parameters are within specified limits. Parameters must be monitored during cut-off of waste feed.	L. Please cite specifically to 1206(c)(3)(iii).
40CFR63.1206(c)(3), Subpart EEE	64	1-60 Compliance Certification. Report due in 5 days for 10 exceedences within 60 days.	EU: K-ILNSG; Proc=KHF. HAP report required for each set of 10 exceedences.	Please cite specifically to 1206(c)(3)(vi).

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40CFR63.1206(c)(3), Subpart EEE	65	1-61 Compliance Certification. AWFCO system operating parameters.	EU=K-ILNSG, Proc=KHF. HAPs. Operating requirements of AWFCO.	Please cite specifically to 1206(c)(3)(i).
40CFR63.1206(c)(3), Subpart EEE	65	1-62 Compliance Certification. Rampdown requirements, procedural requirements and exceedence of standards.	EU=K-ILNSG, Proc=KHF. HAPs. Rampdown of waste feedrate.	D. Norlite does not use this option and requests deletion. If condition remains please cite to 1206(c)(3)(viii) to better reflect regulation. Semi-annual reports are due 30 days after reporting period not 5 days as specified in permit.
40CFR63.1206(c)(3), Subpart EEE	66	1-63 Compliance Certification. AWFCO and alarms tested weekly unless unduly restrictive. Minimum monthly testing.	EU=K-ILNSG, Proc=KHF. AWFCO and alarms tested weekly.	Please cite specifically to1206(c)(3)(vii). Semi-annual reports are due 30 days after reporting period not 5 days as specified in permit.
40CFR63.1206(c)(4), Subpart EEE	67	1-64 Corrective measures after an emergency safety vent opening.	EU=K-ILNSG, Proc=KHF. Emergency safety vent (ESV) opening and failure to meet emission standard. Must investigate.	D. Please delete because Norlite has no ESVs on kilns at present; also see cover letter. If condition remains, please cite specifically to 1206(c)(4)(iii).
40CFR63.1206(c)(4), Subpart EEE	67	1-65 Compliance Certification. Requirement to document compliance/noncompliance with emission standards during ESV opening event.	EU=K-ILNSG ,Proc=KHF. If ESV opens while combusting hazardous waste, facility must document compliance with Subpart EEE.	D. Please delete because Norlite has no ESVs on kilns at present; also see cover letter. If condition remains, please cite specifically to 1206(c)(4)(i).
40CFR63.1206(c)(4), Subpart EEE	68	1-66 Compliance Certification. Requirement for ESV operating plan.	EU=K-ILNSG, Proc=KHF. ESV operating plan requirements.	D. Please delete because Norlite has no ESVs on kilns at present; also see cover letter. If condition remains, please cite specifically to 1206(c)(4)(ii).
40CFR63.1206(c)(4), Subpart EEE	68	1-67 Compliance Certification. Report due if failure to meet emission standards during ESV opening event.	EU=K-ILNSG, Proc=KHF. Report required with 5 days of ESV opening that results in failure to meet Subpart EEE standards.	D. Please delete because Norlite has no ESVs on kilns at present; also see cover letter. If condition remains, please cite specifically to 1206(c)(4)(iv).
40CFR63.1206(c)(5), Subpart EEE	69	1-68 Compliance Certification. Requirement to control combustion system leaks.	EU=K-ILNSG, Proc=KHF. Combustion system leaks prevented.	NC
40CFR63.1206(c)(6), Subpart EEE	70	1-69 Certified operator must be present.	EU=K-ILNSG, Proc=KHF. Certified operator must be present at all times source is in operation.	L. Please cite specifically to 1206(c)(6)(ii). See also cover letter.
40CFR63.1206(c)(6), Subpart EEE	70	1-70 Record of training and certification of operator required.	EU=K-ILNSG, Proc=KHF. Records of training and certification required for kiln control room operators.	L. Please cite specifically to 1206(c)(6)(i). See also cover letter.
40CFR63.1206(c)(6), Subpart EEE	70	1-71 Requirements for control room operators at lightweight aggregate kilns to be trained and certified under a site-specific plan.	EU=K-ILNSG, Proc=KHF. Control room operators trained under site specific plans.	L. Please cite specifically to 1206(c)(6)(i) or delete, since this is also covered under Condition 1-74, (c)(6)(v). See also cover letter.
40CFR63.1206(c)(6), Subpart EEE	70	1-72 Training plan requirements	EU=K-ILNSG, Proc=KHF. Requirements for haz. waste incinerator control room operators to be trained and certified under a site-specific plan.	D. Please delete. Kiln is not a hazardous waste incinerator.
40CFR63.1206(c)(6), Subpart EEE	71	1-73 Compliance Certification. Control room operator annual review.	EU=K-ILNSG, Proc=KHF. Control room operators must complete annual review or refresher course.	Please cite specifically to1206(c)(6)(vi). See also cover letter.

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40CFR63.1206(c)(6), Subpart EEE	72	1-74 Compliance Certification. Training program elements.	EU=K-ILNSG,Proc=KHF. Training plan contents.	Please cite specifically to 1206(c)(6)(v). See also cover letter.
40CFR63.1206(c)(6), Subpart EEE	72	1-75 Compliance Certification. Training programs for all personnel.	EU=K-ILNSG, Proc=KHF. Training programs for all personnel whose activities may affect emissions.	Please cite specifically to1206(c)(6)(vii). See also cover letter.
40CFR63.1206(c)(7), Subpart EEE	73	1-76 Compliance Certification. Baghouse leak plan.	EU=K-ILNSG, Proc=KHF. Corrective measures for baghouse leaks in O&M plan.	Please cite specifically to 1206(c)(7)(ii).
40CFR63.1206(c)(7), Subpart EEE	74	1-77 Compliance Certification. Baghouse leak detection system.	EU=K-ILNSG, Proc=KHF. Baghouse leak detection requirements.	Please cite specifically to 1206(c)(7)(ii)(A).
40CFR63.1206(c)(7), Subpart EEE	75	1-78 Compliance Certification. Combustor O&M plan.	EU=K-ILNSG, Proc=KHF. Prepare and operate according to plan for all combustor components and associated APCD.	Please cite specifically to 1206(c)(7)(i)(A) to distinguish this condition; Place (A) - (D) in text of monitoring description if necessary to document multiple citations. Please see cover letter for details.
40CFR63.1207 , Subpart EEE	76	1-79 Compliance Certification. Timing of CPT tests.	EU=K-ILNSG, Proc=KHF. Comprehensive performance tests. Scheduling, notification and reporting requirements.	Please cite specifically 1207(b)(1) to distinguish this condition. Please see cover letter for details.
40CFR63.1207 , Subpart EEE	77	1-80 Compliance Certification. Timing of CT tests	EU=K-ILNSG, Proc=KHF. Confirmatory performance tests for dioxins/furans.	Please cite specifically 1207(b)(2) to distinguish this condition. Please see cover letter for details.
40CFR63.1207(a) , Subpart EEE	78	1-81 Applicability of Subpart A.	EU=K-ILNSG, Proc=KHF. Reiterates that 63.7 requirements apply	L. Please cite specifically to 1207(b)(1).
40CFR63.1207(e)(2) , Subpart EEE	79	1-82 Public notice of test plan.	EU=K-ILNSG, Proc=KHF. Test plans must be made available to public.	NC
40CFR63.1207(f)(1), Subpart EEE	79	1-83 Content of comprehensive test plan. Detailed requirements of comprehensive test plan: waste analyses, design of equipment, schedules, etc.	EU=K-ILNSG, Proc=KHF. Specifies plan requirements.	L. Please consider removing this text for brevity. See cover letter.
40CFR63.1207(f)(2), Subpart EEE	81	1-84 Content of confirmatory test plan. Detailed requirements of confirmatory test plan: conformance to emissions standards, feedrate and waste analyses requirements, schedules, etc.	EU=K-ILNSG, Proc=KHF. Specifies plan requirements.	L. Please consider removing this text for brevity. See cover letter.
40CFR63.1207(g)(1), Subpart EEE	81	1-85 Operating conditions during comprehensive performance test.	EU=K-ILNSG, Proc=KHF. Operating conditions during CPT.	L. Please consider removing this text for brevity. See cover letter.
40CFR63.1207(g)(2), Subpart EEE	82	1-86 Operating conditions during confirmatory performance testing.	EU=K-ILNSG, Proc=KHF. Operating conditions during CT.	L. Please consider removing this text for brevity. See cover letter.
40CFR63.1207(h)(1), Subpart EEE	83	1-87 Operating conditions during subsequent testing.	EU=K-ILNSG, Proc=KHF. Current operating parameter limits established under §63.1209 are waived during subsequent comprehensive performance testing.	L; NC
40CFR63.1207(h)(2), Subpart EEE	83	1-88 Operating conditions during subsequent pretesting.	EU=K-ILNSG, Proc=KHF. Current operating parameter limits are waived during pretesting prior to comprehensive performance testing for an aggregate time not to exceed 720 hours of operation.	L; NC

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40CFR63.1207(j)(1), Subpart EEE	83	1-89 Notification of compliance for comprehensive performance test.	EU=K-ILNSG, Proc=KHF. Within 90 days of completion of a comprehensive performance test, the facility must postmark a Notification of Compliance documenting compliance with the emission standards and continuous monitoring system requirements.	L; NC
40CFR63.1207(j)(2), Subpart EEE	84	1-90 Notification of compliance for confirmatory performance tests.	EU=K-ILNSG, Proc=KHF. Within 90 days of completion of a confirmatory performance test, the facility must postmark a Notification of Compliance documenting compliance or noncompliance with the applicable dioxin/furan emission standard.	L; NC
40CFR63.1207(j)(3), Subpart EEE	84	1-91 Notification of Compliance - incorporation by reference.	EU=K-ILNSG, Proc=KHF. Facility must include results of performance tests in the Notification of Compliance.	L; NC
40CFR631207(l)(1), Subpart EEE	84	1-92 Failure of performance test - comprehensive test.	EU=K-ILNSG, Proc=KHF. If the facility has exceeded any emission standard during a comprehensive performance test, the facility must cease hazardous waste burning immediately under that mode of operation. The facility must make this determination within 90 days following completion of the performance test. The provisions of this condition do not apply to the initial comprehensive performance test if the facility conducts it before September 30, 2003 or a later compliance date approved under §63.6(i).	L; NC
40CFR63.1207(l), Subpart EEE	85	1-93 Failure of performance test - confirmatory test.	EU=K-ILNSG, Proc=KHF. If the facility determines (based on CEM recordings, results of analyses of stack samples, or results of CMS performance evaluations) that the facility has failed the dioxin/furan emission standard during a confirmatory performance test, the facility must cease burning hazardous waste immediately. The facility must make this determination within 90 days following completion of the performance test.	L; NC
40CFR63.1207(l), Subpart EEE	85	1-94 Petition to burn hazardous waste after performance test failure.	EU=K-ILNSG, Proc=KHF. Petition must specify operating requirements to meet Subpart EEE and include schedule for submittiong Notification of Compliance.	L; NC

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40CFR63.1209, Subpart EEE	86	1-95 Limits on operating parameters based on comprehensive performance testing.	EU=K-ILNSG, Proc=KHF. If the performance tests for these standards are not performed simultaneously, the most stringent limit for a parameter derived from independent performance tests applies.	L. Please cite specifically to 1209(i). Please consider revising this as discussed in the cover letter.
40CFR63.1209(a)(1), Subpart EEE	86	1-96 Compliance Certification. CEMS for CO, HC & 0_2.	EU=K-ILNSG, Proc=KHF. Must use CO or HC CEMS to demonstrate and monitor compliance with the CO and HC standard. Must also use an O2 CEMS to continuously correct the CO or HC level to 7% oxygen.	Please cite specifically to 1209(a)(1)(i), and revise to a library condition, since it is a statement of fact. Norlite complies with this provision.
40CFR63.1209(a)(1), Subpart EEE	87	1-97 Compliance Certification. PM CEMS.	EU=K-ILNSG, Proc=KHF. Must maintain PM CEMS to demonstrate and monitor compliance with standard. Not required until EPA promulgates all specs for PM CEMS.	D. Please delete; Norlite is not required to use PM CEMS nor does it have one.
40CFR63.1209(a)(2), Subpart EEE	88	1-98 Compliance Certification. Maintain all CEMS & COMS.	EU=K-ILNSG, Proc=KHF. All CEMS and COMS must be maintained in compliance with quality assurance standards.	Please delete references to COMS and PS-1; Norlite is not required to use COMS, and uses PS-4B for CEMS compliance.
40CFR63.1209(a)(3), Subpart EEE	88	1-99 Compliance Certification. CO CEMS - specific calculation requirements.	EU=K-ILNSG, Proc=KHF. CO CEMS: one minute avgs >3000 ppmv must be recorded as 10000 ppmv and used to calculate hourly rolling avgs; calib. drift <300 ppmv; calib error <500 ppmv.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.
40CFR63.1209(a)(6), Subpart EEE	89	1-100 Calculation of rolling averages for CO & HC.	EU=K-ILNSG, Proc=KHF. One minute and one hour calc methods for CO and HC CEMS. During intermittent operating conditions previous time period data utilized.	L. Please include the remainder of paragraph 1209(a)(6)(iii) which appears to have been omitted; or simplify by citation-only, since it is a library condition.
40CFR63.1209(a)(7), Subpart EEE	89	1-101 Operating parameter limits for hydrocarbons.	EU=K-ILNSG, Proc=KHF. If CO is parameter for HC must demonstrate compliance during CPT. If DRE and HC tests not simultaneous most restrictive operating parameters apply.	L; NC
40CFR63.1209(b)(1), Subpart EEE	90	1-102 Continuous monitoring systems for compliance with operating parameter limits.	EU=K-ILNSG, Proc=KHF. The facility must use continuous monitoring systems (CMS) such as thermocouples, pressure transducers, flow meters, etc. to document compliance with the applicable operating parameter limits under §63.1209.	L; NC
40CFR63.1209(b)(2)(i) , Subpart EEE	90	1-103 Compliance Certification. Yearly CMS calibrations.	EU=K-ILNSG, Proc=KHF. All CMS other than CEMS must follow manufacturer's recommendations. Calibrations at least once/year.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.

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40CFR63.1209(b)(3), Subpart EEE	91	1-104 Sampling intervals for continuous monitoring systems.	EU=K-ILNSG, Proc=KHF. All CMS must sample the regulated parameter without interruption, and evaluate the detector response at least once each 15 seconds, and compute and record the average values at least every 60 seconds.	L; NC
40CFR63.1209(b)(4), Subpart EEE	91	1-105 Continuous Monitoring Systems span limit.	EU=K-ILNSG, Proc=KHF. Span of non-CEMS CMS detector must not be exceeded and interlocked with AWFCO.	L; NC
40CFR63.1209(b)(5), Subpart EEE	91	1-106 Calculation of rolling averages for continuous monitoring systems.	EU=K-ILNSG, Proc=KHF. One minute, 1hour and 12-hour calc methods for CMS. During intermittent operating conditions previous time period data utilized.	L; NC
40CFR63.1209(c)(1), Subpart EEE	92	1-107 General feedstream anaylsis requirements.	EU=K-ILNSG, Proc=KHF. Prior to use, must obtain analysis of each feedstream to document compliance with the applicable feedrate limits.	L; NC
40CFR63.1209(c)(2), Subpart EEE	92	1-108 Compliance Certification. Feedstream analysis plan.	EU=K-ILNSG, Proc=KHF. The facility must develop and implement a feedstream analysis plan and record it in the operating record.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.
40CFR63.1209(c)(3), Subpart EEE	93	1-109 Compliance Certification. FAP submittal.	EU=K-ILNSG, Proc=KHF. The facility must submit the feedstream analysis plan to the Administrator for review and approval, if requested.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.
40CFR63.1209(c)(4), Subpart EEE	94	1-110 Compliance Certification. Monitor feedrates.	EU=K-ILNSG, Proc=KHF. Must monitor and record feedrates. Must determine parameter values for feedstreams and multiply by mass feedrates.	L; NC
40CFR63.1209(c)(5), Subpart EEE	94	1-111 Waiver of monitoring of constituents in certain feedstreams.	EU=K-ILNSG, Proc=KHF. Metals and chlorine in natural gas, process air, and feedstreams from vapor reovery systems.	L; NC
40CFR63.1209(d), Subpart EEE	95	1-112 Compliance Certification. QC program requirements.	EU=K-ILNSG, Proc=KHF. The facility must comply with the quality assurance procedures for CEMS prescribed in the appendix to Subpart EEE.	NC
40CFR63.1209(e), Subpart EEE	95	1-113 Conduct of monitoring. §63.8(b) applicability.	EU=K-ILNSG, Proc=KHF. The provisions of §63.8(b) apply.	NC
40CFR63.1209(f), Subpart EEE	95	1-114 Operation and maintenance of continuous monitoring systems. O&M plan exceptions to §63.8(c).	EU=K-ILNSG, Proc=KHF. Exceptions to §63.8(c)	NC
40CFR63.1209(h), Subpart EEE	96	1-115 Reduction of monitoring data. §63.8(g) applicability.	EU=K-ILNSG, Proc=KHF. The provisions of §63.8(g) apply.	NC

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40CFR63.1209(i), Subpart EEE	96	1-116 Operating parameters subject to multiple standards. Most stringent limit from CPT may apply.	EU=K-ILNSG, Proc=KHF. If the performance tests for such standards are not performed simultaneously, the most stringent limit for a parameter derived from independent performance tests applies.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(j)(1), Subpart EEE	96	1-117 Compliance Certification. Minimum combustion chamber temperature.	EU=K-ILNSG, Proc=KHF. Combustion chamber temperature lower limit: 875 deg F.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(j)(2), Subpart EEE	97	1-118 Compliance Certification. Maximum production rate.	EU=K-ILNSG, Proc=KHF. Maximum production rate as parameter for residence time. Upper Limit: 22 tons/hr.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(j)(3), Subpart EEE	98	1-119 Compliance Certification. Maximum hazardous waste feedrate.	EU=K-ILNSG, Proc=KHF. Maximum hazardous waste feedrate as parameter for residence time. Upper Limit: 10.1 gal/min.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(j)(4), Subpart EEE	99	1-120 Compliance Certification. Must establish operating limits.	EU=K-ILNSG, Proc=KHF. Facility must establish hazardous waste firing limits and comply with them.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(k)(1), Subpart EEE	100	1-121 Compliance Certification. Maximum temperature of last combustion chamber.	EU=K-ILNSG, Proc=KHF. Dioxin/furan. Max. temperature at exit of last combustion chamber: 400 deg F.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(l)(1), Subpart EEE	100	1-122 Compliance Certification. Total Hg loading limit.	EU=K-ILNSG, Proc=KHF. Hg inlet loading limit. 0.0105 lb/hr, 12-hr rolling avg., calc'd every minute.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(l)(2), Subpart EEE	102	1-123 Wet scrubber limits. Limit as determined in CPT.	EU=K-ILNSG, Proc=KHF. The facility must comply with the Hg emission standard by establishing and complying with the wet scrubber operating limit	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(n)(2)(i), Subpart EEE	102	1-124 Compliance Certification. As, Be, Cr combined upper limit.	EU=K-ILNSG, Proc=KHF. As, Be, and Cr combined parameter upper limit: 4.08 lb/hr, 12-hr rolling avgerage all feedstreams.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(n)(2)(i) , Subpart EEE	103	1-125 Compliance Certification. Cd and Pb combined upper limit.	EU=K-ILNSG, Proc=KHF. Cd and Pb combined parameter upper limit: 3.735 lb/hr, 12-hr rolling avg. all feedstreams.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(n)(2)(ii) , Subpart EEE	103	1-126 Feedrate extrapolation for maxium feedrate of semi- and low volatile metals.	EU=K-ILNSG, Proc=KHF. May request as part of CPT to use feedrates and associated emission rates during test to establish higher limits and rates.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(n)(4), Subpart EEE	104	1-127 Compliance Certification. Chlorine & chloride upper limit.	EU=K-ILNSG, Proc=KHF. Chlorine and chloride inlet loading upper limit: 73 lb/hr for all feedstreams. 12-hr rolling avg. calc'd every hr.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.

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40CFR63.1209(o)(1), Subpart EEE	104	1-128 Compliance Certification. Chlorine & chloride upper limit.	EU=K-ILNSG, Proc=KHF. Chlorine (organic and inorganic) inlet loading upper limit: 73 lb/hr for all feedstreams. 12-hr rolling avg. calc'd every hr.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(p), Subpart EEE	105	1-129 Compliance Certification. Pressure upper limit - combustion system.	EU=K-ILNSG, Proc=KHF. Combustion system leaks. Pressure Upper Limit: 0 in H_2O.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1210, Subpart EEE	106	1-130 Initial notification that the permittee is subject to subpart EEE.	EU=K-ILNSG, Proc=KHF. Notify NYSDEC by 1/30/2000 or within 120 days after becoming subject to Subpart EEE.	D. Please delete; one time notification has been filed.
40CFR63.1210, Subpart EEE	106	1-131 Compliance Certification. Notification requirements.	EU=K-ILNSG, Proc=KHF. Reiterates the applicable notification requirements of 1210 covered elsewhere.	Please delete or retain as a library condition; these parameters covered in detail elsewhere, and the condition is too broad to certify to..
40CFR63.1211, Subpart EEE	106	1-132 Compliance Certification. Recordkeeping and reporting requirements.	EU=K-ILNSG, Proc=KHF. Reiterates the the applicable recordkeeping and reporting requirements of 1211.	Please revise to a library condition; these parameters covered in detail elsewhere, and the condition is too broad to certify to.
40CFR63.1211, Subpart EEE	107	1-133 Compliance Certification. Reporting requirement if SSM plan not followed.	EU=K-ILNSG, Proc=KHF. Any time SSM plan not followed notification and follow-up written letter required.	D. Please delete. This certification applies to a single citation from 1211(a), which is already covered in Condition 1-52.
40CFR63.1211, Subpart EEE	107	1-134 Compliance Certification. Report required if a startup or shutdown occurs.	EU=K-ILNSG, Proc=KHF. Any time a startup, shutdown or malfunction occurs a report is due 30 days after end of calendar half.	D. Please delete; this citation is addressed by Condition 1-132.
40CFR63.1211, Subpart EEE	108	1-135 Compliance Certification. 10-exceedance reporting.	EU=K-ILNSG, Proc=KHF. Written report required for each set of 10 exceedences of emission standards of operating req'ts within 60 day period. Due 5 days after 10th exceedence. Check wording and sentence puntuation of this condition.!!!	D. Please delete; this citation is addressed by Condition 1-132.
40CFR63.1211(b), Subpart EEE	108	1-136 Compliance Certification. Detaile recordkeeping.	EU=K-ILNSG, Proc=KHF. Detailed recordkeeping requirements.	Please revise to a library condition; these parameters covered in detail elsewhere, and the condition is too broad to certify to..
40CFR631209(m)(1)(iv), Subpart EEE	110	1-137 Compliance Certification. Operating parameters for PM APCD.	EU=K-ILNSG, Proc=KHF, ES=K1CT1. Particulate HAP. Pressure change limits for PM control devices other than baghouses, ESPs or high energy or ionizing wet scrubbers. pressure change limits. Upper Limit: 10 in H2O; Lower Limit 0.5 in. H2O.	D. Please delete. Multiclone (Source/Control K1CT1) not subject to Subpart EEE.
40CFR63.1209(m)(1)(i)('A'), Subpart EEE	111	1-138 Compliance Certification. Pressure drop - wet scrubber.	EU=K-ILNSG,Proc=KHF,ES=K1CT3. Particulate HAP. Pressure drop for high energy wet scrubbers. Lower limit: 2.0 in H2O. 1-hr rolling avg,	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	112	1-139 Compliance Certification. Wet scrubber blowdown lower limit - volume.	EU=K-ILNSG,Proc=KHF,ES=K1CT3. Wet scrubbers limit on solids contents. Blowdown volume lower limit: 40% volume.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.

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40CFR63.1209(m)(1)(i)('B'), Subpart EEE	113	1-140 Compliance Certification. Wet scrubber blowdown lower limit - flow rate.	EU=K-ILNSG,Proc=KHF,ES=K1CT3. Wet scrubbers limit on solids contents. Volumetric flow rate lower limit: 15 gal.min. Check wording? Compare/contrast with Conditiion 1-139.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(o)(3)(iv), Subpart EEE	114	1-141 Compliance Certification. Wet scrubber pH lower limit.	EU=K-ILNSG,Proc=KHF,ES=K1CT3. HCl and Cl2. Combuster wet scrubber pH Lower Limit: 7.9. 1-hr rolling avg.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(o)(3)(v), Subpart EEE	115	1-142 Compliance Certification. Wet scrubber limits?	EU=K-ILNSG,Proc=KHF,ES=K1CT3. HCl and Cl2. Alternate volumetric flow rate parametric Upper Limit: 405 amps.	D. Please delete - Norlite has not proposed fan amps as a surrogate parameter, and it is not identified in the CPT.
40CFR63.1209(o)(3)(v), Subpart EEE	115	1-143 Compliance Certification. Wet scrubber volumetric flow rate - lower limit.	EU=K-ILNSG,Proc=KHF,ES=K1CT3. HCl and Cl2. Wet scrubber volumetric flow rate Lower Limit: 175 gal/min.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	116	1-144 Compliance Certification. Wet scrubber blowdown lower limit - volume.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. Wet scrubbers limit on solids contents. Blowdown volume lower limit: 40% volume.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	117	1-145 Compliance Certification. Wet scrubber blowdown lower limit - flow rate.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. Wet scrubbers limit on solids contents. Volumetric flow rate lower limit: 15 gal.min.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(ii), Subpart EEE	118	1-146 Compliance Certification. Minimum pressure drop on low energy scrubber.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. HCl and Cl2. Low energy wet scrubber on combustor, minimum pressure drop. Lower Limit: 1.5 in H2O.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(iii), Subpart EEE	119	1-147 Compliance Certification. Minimum liquid feed pressure on low energy wet scrubber.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. HCl and Cl2. Low energy wet scrubber, liquid feed pressure. Lower Limit: 15psi.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(iv), Subpart EEE	120	1-148 Compliance Certification. Wet scrubber pH lower limit.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. HCl and Cl2. Combuster wet scrubber pH Lower Limit: 7.9. 1-hr rolling avg.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(v), Subpart EEE	120	1-149 Compliance Certification. Wet scrubber maximum flue gas flow rate.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. HCl and Cl2. Combuster wet scrubber maximum flue gas flow rate. Upper Limit: 48000 ft3/min.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(v), Subpart EEE	121	1-150 Compliance Certification. Wet scrubber volumetric flow rate - lower limit.	EU=K-ILNSG,Proc=KHF,ES=K1CT4. HCl and Cl2. Wet scrubber volumetric flow rate. Lower Limit: 145 gal/min.	D. Please delete; the contactor (K1CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(m)(1)(iv), Subpart EEE	122	1-151 Compliance Certification. Pressure drop upper & lower limits on certain APCD.	EU=K-ILNSG,Proc=KHF,ES=K2CT1. Particulate HAP. Pressure change limits for PM control devices other than baghouses, ESPs or high energy or ionizing wet scrubbers. pressure change limits. Upper Limit: 10 in H2O; Lower Limit 0.5 in. H2O.	D. Please delete; the Multiclone (K2CT1) is not subject to Subpart EEE.

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40CFR63.1209(m)(1)(i)('A'), Subpart EEE	123	1-152 Compliance Certification. High energy scrubber minimum pressure drop.	EU=K-ILNSG,Proc=KHF,ES=K2CT3. Particulate HAP. Pressure drop for high energy wet scrubbers. Lower limit: 2.0 in H2O. 1-hr rolling avg,	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	124	1-153 Compliance Certification. Wet scrubber blowdown lower limit - volume.	EU=K-ILNSG,Proc=KHF,ES=K2CT3. Wet scrubbers limit on solids contents. Blowdown volume lower limit: 40% volume.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	125	1-154 Compliance Certification. Wet scrubber blowdown lower limit - flow rate.	EU=K-ILNSG,Proc=KHF,ES=K2CT3. Wet scrubbers limit on solids contents. Volumetric flow rate lower limit: 15 gal.min. Check wording? Compare/contrast with Conditiion 1-153.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1. Also note, Averaging Method should be: 1 HOUR MINIMUM
40CFR63.1209(o)(3)(iv), Subpart EEE	126	1-155 Compliance Certification. Wet scrubber pH lower limit.	EU=K-ILNSG,Proc=KHF,ES=K2CT3. HCl and Cl2. Combuster wet scrubber pH Lower Limit: 7.9. 1-hr rolling avg.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(o)(3)(v), Subpart EEE	127	1-156 Compliance Certification. Wet scrubber volumetric flow rate - lower limit.	EU=K-ILNSG,Proc=KHF,ES=K2CT3. HCl and Cl2. Wet scrubber volumetric flow rate Lower Limit: 175 gal/min.	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.
40CFR63.1209(o)(3)(v), Subpart EEE	127	1-157 Compliance Certification. Wet scrubber limits?	EU=K-ILNSG,Proc=KHF,ES=K2CT3. HCl and Cl2. Volumetric flow rate Upper Limit: 405 amps.	D. Please delete - Norlite has not proposed fan amps as a surrogate parameter, and it is not identified in the CPT.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	128	1-158. Wet scrubber minimum blowdown rate - volume.	EU=K-ILNSG,Proc=KHF,ES=K2CT4. Wet scrubbers limit on solids contents. Blowdown volume lower limit: 40% volume.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(m)(1)(i)('B'), Subpart EEE	129	1-159. Wet scrubber minimum blowdown rate - flow rate.	EU=K-ILNSG,Proc=KHF,ES=K2CT4. Wet scrubbers limit on solids contents. Volumetric flow rate lower limit: 15 gal.min.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(ii), Subpart EEE	130	1-160 Compliance Certification. Low energy scrubber minimum pressure drop.	EU=K-ILNSG,Proc=KHF,ES=K2CT4. HCl and Cl2. Low energy wet scrubber on combustor, minimum pressure drop. Lower Limit: 1.5 in H2O.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(iii), Subpart EEE	131	1-161 Compliance Certification. Minimum liquid feed pressure on low energy wet scrubber.	EU=K-ILNSG,Proc=KHF,ES=K2CT4. HCl and Cl2. Low energy wet scrubber, liquid feed pressure. Lower Limit: 15psi.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(iv), Subpart EEE	131	1-162 Compliance Certification. Wet scrubber pH lower limit.	EU=K-ILNSG,Proc=KHF,ES=K2CT4. HCl and Cl2. Combuster wet scrubber pH Lower Limit: 7.9. 1-hr rolling avg.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(v), Subpart EEE	132	1-163 Compliance Certification. Wet scrubber maximum flue gas flow rate.	EU=K-ILNSG,Proc=KHF,ES=K2CT4. HCl and Cl2. Combuster wet scrubber maximum flue gas flow rate. Upper Limit: 48000 ft3/min.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.
40CFR63.1209(o)(3)(v), Subpart EEE	133	1-164 Compliance Certification. Wet scrubber volumetric flow rate - lower limit.	EU=K- ILNSG,Proc=KHF,ES=K2CT4. HCl and Cl2. Wet scrubber volumetric flow rate Lower Limit: 145 gal/min.	D. Please delete; the contactor (K2CT4) and mist eliminator are not subject to Subpart EEE.

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change				
40CFR63.1209(q), SubpartEEE	134	1-165 Operations under different modes of operation.	EU=K- ILNSG,Proc=KNF. If the facility operates under different modes of operation, the facility must establish operating parameter limits for each mode.	D. Please apply to Emission Unit overall, so that processes KAF and KNF are both addressed in Condition 1-26 (Delete 1-165) Also see cover letter.
40CFR63.1209(q)(1), SubpartEEE	134	1-166 Operations when residence time has expired.	EU=K- ILNSG,Proc=KNF. Similar to Condition 1-27.	D. Please apply to Emission Unit overall, so that processes KAF and KNF are both addressed in Condition 1-27 (Delete 1-166). Also see cover letter.
40CFR63.1209(q)(2), SubpartEEE	135	1-167 Calculating rolling averages under different modes of operation.	EU=K- ILNSG,Proc=KNF. Similar to Condition 1-28.	D. Please apply to Emission Unit overall, so that processes KAF and KNF are both addressed in Condition 1-28 (Delete 1-167). Also see cover letter.

144

Confirmed Cite & Corrected Cond# vs 9/2/04 draft - (X) Deleted - (D)

Norlite Permit Review - Draft Mod 1/Active - Working Copy April 6 2004 Draft

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change				
Federally Enforceable - Facility Level				
40CFR61.242-1(d), Subpart V	24	1-11 General Standards -mark equipment distinctly from non-Subpart V equipment	This applies to "equipment leaks"per 63.680(c)(3).	NC
40CFR61.246(d) Subpart V	24	1-12 Recordkeeping –maintain design specs for closed-vent systems	This applies to "equipment leaks"per 63.680(c)(3). (was a Module VII cond previously)	NC
40CFR61.247 (a)(1) Subpart V	24	1-13 Reporting requirements - Initial notice to EPA of Subpart V equipment	New; 1-13 was a Module VII cond in Mod 0	NC
40CFR61.242-2(a)(1), NESHAP Subpart V	143	1-179 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Equipment leak monitoring, all pumps. Once/month. Upper Limit: 10000 ppmv.	NC
40CFR61.242-2(a)(2), NESHAP Subpart V	144	1-180 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Equipment leak monitoring, all pumps. Once/week for visual liquid drips.	Please delete monitoring method, it is not consistent with visual inspection.
40CFR61.242-2(e)(1), NESHAP Subpart V	144	1-181 Standards for pumps: exemption for pumps with no detectable emissions	EU: M-ISCES. Exemption if no external shaft, <500ppm above background initially and annually.	Please delete - Norlite has no such pumps, and will elect to monitor in any case..
40CFR61.242-4, NESHAP Subpart V	145	1-182 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Pressure relief device <500 ppm above background after reset. Upper Limit: 0 ppmw	Please delete; no pressure relief devices present except rupture discs which are exempt. (Upper limit would be 500ppm not 0 if condition remains).
40CFR61.242-6, NESHAP Subpart V	145	1-183 Standards for open ended valves or lines	EU: M-ISCES. All such line ends must be capped, plugged, blanked or double-valved.	L; NC
40CFR61.242-7(a), NESHAP Subpart V	146	1-184 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Equipment leak monitoring, all valves. Once/month. Upper Limit: 10000 ppmv. If passes for 2 consecutive months, once/qtr.	L; NC
40CFR61.242-7(f), NESHAP Subpart V	147	1-185 Standards for valves: exemption for valves with no detectable emissions	EU: M-ISCES. Exempt if no external shaft, <500ppm above background initially and annually.	Please delete - Norlite has no such valves, and will elect to monitor in any case..
40CFR61.242-7(g), NESHAP Subpart V	147	1-186 Standards for valves: exemption for unsafe-to-monitor valves	EU: M-ISCES. Exempt if normally unsafe and have written plan to check when safe.	L; NC
40CFR61.242-7(h), NESHAP Subpart V	147	1-187 Standards for valves: exemption for difficult-to-monitor valves	EU: M-ISCES. Exempt if at high elevation, existing process unit, and monitor once/yr.	L; NC

Confirmed Cite & Corrected Cond# vs 9/2/04 draft - (X) Deleted - (D)

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change				
40CFR61.242-8, NESHAP Subpart V	148	1-188 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Pressure relief devices and flanges in liquid service. Monitor if visual, audible, olfactory evidence of a leak. Upper limit: 10000 ppmv.	NC
40CFR61.242-10, NESHAP Subpart V	149	1-189 Standards for delay of repair	EU: M-ISCES. Allows delay of repairs through isolation, or until S/D, or replacements obtained, or if repair results in greater emissions than leak.	L; NC
40CFR61.242-11, NESHAP Subpart V	149	1-190 Standards for closed-vent systems **CVS Citation not clear ; 40 CFR 61.1033(k)? cite 11 (f) for frequency; (g) for repairs.**	EU: M-ISCES. Closed vent systems no visual evidence and <500 ppm above background initially and annually	L; NC
40CFR61.242-11, NESHAP Subpart V	150	1-191 Standards for operation of closed vent systems and control devices **-Cite 11(m)**	Operate CD at all times when emissions may be vented to them.	L; NC
40CFR61.242-11, NESHAP Subpart V	150	1-192 Standards for vapor recovery system**Cite 11(b)**	EU: M-ISCES. Vapor recovery system efficiency: =>95%	L; NC
40CFR61.243-2, NESHAP Subpart V	150	1-193 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Valve leak detection. If <=2% of valves for 2 qtrs, may skip 1 qtr leak detection period. If <=2% of valves for 5 qtrs, may skip 3 qtr leak detection periods. When >2% go back to provisions of 40CFR61.242-7 and start over.	NC? This is a terrific provision for monitoring reduction IF Norlite is comfortable with it; but may elect to continue monthly and/or quarterly Mon.
40CFR61.245(b), NESHAP Subpart V	151	1-194 Monitoring requirements	Instrument performance criteria and calibration must meet Method 21 requirements.	L; NC - Deletion was suggested but don't see how.
40CFR61.245(c), NESHAP Subpart V	151	1-195 Monitoring requirements for no detectable emissions	Method 21 procedural methods and background level calculations. 40CFR61.245(b)(1-4).	L; NC - Deletion was suggested but don't see how.
40CFR61.246(b), NESHAP Subpart V	152	1-196 Compliance Certification (EU=M-ISCES) **(cite should be 246(c))**	EU: M-ISCES. Pump and valve recordkeeping requiremnts when a leak is detected.	NC
40CFR61.246(c), NESHAP Subpart V	153	1-197 Compliance Certification (EU=M-ISCES) **(cite should be 246(b))**	EU: M-ISCES. Pump and valve identification (labeling) requirements when a leak is detected.	NC
40CFR61.246(e), NESHAP Subpart V	153	1-198 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Equipment log lists readily accessible: (1) equipment subject to leak detection; (2) equipment < 500 ppm above background.	NC

Confirmed Cite & Corrected Cond# vs 9/2/04 draft - (X) Deleted - (D)

Citation	Page #	Cond. No. & Short Summary	Description/Discussion	Action Requested of DEC
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change				
40CFR61.246(f), NESHAP Subpart V	154	1-199 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Equipment log lists readily accessible: (1) equipment unsafe to monitor; (2) equipment difficult to monitor. Explanation for classification and planned schedule for monitoring.	NC
40CFR61.247, NESHAP Subpart V	155	1-200 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Detailed requirements for semiannual report on leak detection activities	NC

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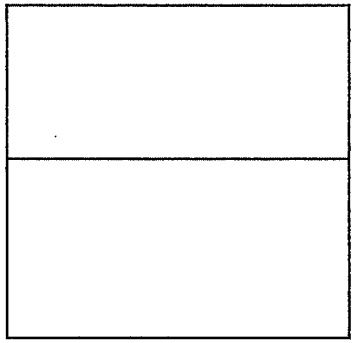
DEC Response Letter 9/2/04
Changed averaging method to "see monitoring description."
Deleted as requested.
Deleted as requested.
Deleted as requested.

DEC Response Letter 9/2/04
Not changed.
Not changed.
Not changed.
Changed as requested.
Changed as requested.

DEC Response Letter 9/2/04



11. It was noted that a regulatory change must go through a prolonged and involved process before it works its way down to the stage where it actually becomes a GEI with a Discussion Guide and/or a Facilitator's Guide.

12. An observation was made: "Siloism" can lead to "tunnel vision"; and, as a result, changes in procedures and policies can be made in an environmental vacuum ***without*** notification of strategically important stakeholders.

13. It was noted that injuries, illnesses, and fatalities cannot be ignored; they must be incorporated into program development.

14. The opinion was expressed that EH&S integration into TLC's skills training and OJTs could be more easily accomplished if task-specific, on-the-job OSHA classes had not been combined into the single course "OSHA Millennium" (SAF4900).

15. EH&S integration into TLC's skills training and OJTs should be a corporate philosophy, as well as a project, process, or procedure.

16. It was asserted that emerging issues cannot be ignored; they must be incorporated into program development.

17. The opinion was expressed that CEP 12.05 should be expanded and made into a "working document."

Emm

New York State Department of Environmental Conservation
Office of Environmental Quality, Region 4
1150 North Westcott Road, Schenectady, New York 12306-2014
Phone: (518) 357-2045 • **FAX:** (518) 357-2398
Website: www.dec.state.ny.us

Erin M. Crotty
Commissioner

September 10, 2003

Ms. Elizabeth Morss
Young, Sommer...LLC
Executive Woods
Five Palisades Dr.
Albany, NY 12205

SEP 12 2003

Dear Ms. Morss:

In this letter, I would like to respond to your comments on Norlite Corporation's Title V modification contained in your March 18, 2003 letter. Listed below are the changes that have been made. I am about half-way through your comments. Enclosed is the most recent draft of the permit. When I finish with the remainder of the comments, I will again forward responses and another draft permit.

I think there were originally more than 4 pages of notes. For example, for condition 81 and after, the chart refers to the notes, but there are no notes corresponding to these conditions. If possible, could you please forward a copy of the remainder of these notes.

Condition number	Response
1-10, 12, 14, 15,17-22, 27, 28, 31, 34	Deleted duplicate condition as requested.
37	This is a mandatory condition. The wording cannot be changed.
41(1-2)	Deleted as requested.
42	Deleted as requested.
46	Changed as requested.
50	Removed old condition, added new library condition under 1206(b)(1), 1206(b)(2), 1206(b)(5) through 1206(b)(8), 1206(b)(11)
59	Removed old condition, added new library condition under 1211(b).
62/89	Changed as requested. 62 now 1-24, (89 not changed yet),
63/91	Changed as requested. 1-8 (63) now 1-25, 1-10 (91) now 1-31,

64/87	Changed as requested. 1-13 (64) now 1-38, 1-18 (87) now 1-45
67/94	Changed as requested. 67 now 1-26, 94 now 1-32.
68	Deleted as requested. We have determined, that, unless specifically required by EEE, WFCO limits that are in the Part 373 permit will not be duplicated in the Title V permit.
70/97	Changed as requested. 70 now 1-27, 97 now 1-33.
71, 73, 74, etc	The initial report date is printed out automatically and cannot be changed.
72/99	Changed as requested. 1-9 (72) now 1-28, 99 now 1-34.
76/103	Deleted as requested.
77/104	Changed as requested. 77 now 1-29, 104 now 1-35.
79/106	Changed as requested. 79 now 1-30, 106 now 1-36.
New Condition Number	Other Changes
1-1, 1-2 1-3, 1-4 1-20	Added mandatory conditions to correct errors in AFS QA reports.

If you have any questions, please call me at 357-2278.

Sincerely,

Bruce O'Neill
Environmental Engineer 1
Region 4

enclosure

cc: P. Desrochers

BO:jh\norlite081503.wpd

New York State Department of Environmental Conservation
Office of Environmental Quality, Region 4
1150 North Westcott Road, Schenectady, New York 12306-2014
Phone: (518) 357-2045 • **FAX:** (518) 357-2398
Website: www.dec.state.ny.us

September 2, 2004

Mr. Peter Desrochers
Spectra Engineering, P. C.
19 British American Blvd.
Latham, NY 12110

Re: Norlite Corporation, DEC ID: 4-0103-0015/00048

Dear Mr. Desrochers,

The Air Title V (ATV) permit application that you submitted to the Department was changed in order to correct errors and to include necessary compliance certifications. Therefore, a copy of the changed ATV permit application is enclosed. I have also included a copy of the Application Comparison Report, which indicates some of the changes made between the original application and the changed application, and a copy of the draft permit. Please review the changed application and draft permit in order to determine if the information listed is accurate.

Please respond to me in writing by **September 27, 2004** with any comments you may have on the changed application and draft permit. Even if you have no comments, we still need confirmation from you that the application is acceptable. Once we receive your comments, the Department will continue to process this draft permit by sending it to the Environmental Notice Bulletin (ENB) for a 30 day public notice. You may also comment during the 30 day public notice period. After that, a 45 day USEPA notice is required.

If you need an electronic copy of the draft permit, I can also provide that.

Also below is our response to your comments:

July 2, 2004 letter

"General Comments"

1. *"Lengthy" conditions:* not changed. The library conditions were written by the central office and cannot be changed by regional staff.

2. *Format of conditions as compliance certifications*: not changed. Conditions that the regional staff write must be in " Facility Specific Monitoring (FSM)." Additionally, many library conditions are in a "monitoring" format, the same format as FSM.

3. *Condition 1-18*: see list below, page 1 of 13.

"Comments Regarding the CPT, OPLs and the NOC"

First and second paragraphs: *OPLs in permit.* These will be changed to reflect the correct values from the CPT, but the value itself will not be removed, since EEE specifically states that they must go in the Title V permit.

Item 1(third paragraph): *More specific regulatory citations.* In some cases these were changed, but most were not changed. For FSM, I used the most specific citation available in AFS. For library conditions, the central office put in the citation and this cannot be changed by regional staff. *Conditions 1-78 and 1-80*: see list below, page 5 of 13.

Item 2 (fourth paragraph): *Condition 1-95*: see list below, page 7 of 13.

Item 2 (fifth paragraph): *Referring to NOC for OPLs.* See response to first and second paragraphs above.

Item 3 (sixth paragraph): *If OPLs different for kiln 1 and kiln 2.* See response to first and second paragraphs above.

Item 4 (seventh paragraph): *Deleting numerical OPL limits.* See response to first and second paragraphs above. Since the time frame when the Title V is drafted and the CPT is due roughly coincide–every 5 years, the numerical values can be readily changed.

"Non-Applicability of Conditions"

1. *CT1, CT4, CT5 not subject to EEE.* This was discussed with R. Leone, RAPE; since the multiclone and Ducon scrubber are not turned off during the CPT, these conditions belong in the permit.

2. *Conditions 1-142 and 1-157.* See list below, pages 11, 12 of 13.

3. *Conditions 1-64 through 1-67.* See list below, page 4 of 13.

"Other Streaming of Provisions"

1. *Conditions 1-70 through 1-75*: see list below, pages 4, 5 of 13.

2. *Conditions 1-26 through 1-28 and 1-165 through 1-167*: see list below.

Page 1 of 13
40:delted as requested
1-18: reworded
1-26, 1-27, 1-28, 1-29: changed as requested
1-30: not changed
1-31, 1-32, 1-33: changed test method only
1-34, 1-35: not changed

page 2 of 13
1-36: not changed
1-37: changed test method only
1-38: not changed. AFS does not allow a limit to be placed in a record keeping condition.
1-42, 1-46: deleted as requested

page 3 of 13
1-50 through 1-54: not changed
1-55: deleted as requested
1-56 through 1-60: not changed

page 4 of 13
1-61: not changed
1-62: deleted as requested
1-63: changed report due date only
1-64, 1-65, 1-66, 1-67: deleted as requested
1-69, 1-70, 1-71: not changed
1-72: deleted as requested
1-73: not changed

page 5 of 13
1-74, 1-75, 1-76, 1-77: not changed
1-78: change reporting to semi annual
1-79, 1-80: changed citation as requested
1-81: not changed. 1207(a) is the proper citation.
1-83, 1-84, 1-85, 1-86: not changed.

page 6 of 13: no changes requested

page 7 of 13
1-95: replaced with a new condition cited at 1209(I)
1-96: not changed
1-97: deleted as requested
1-98: changed as requested
1-99: not changed. This is a library condition (monitoring format).
1-100: added missing contents as requested
1-103: not changed. This is a library condition (monitoring format).

Page 8 of 13
1-108, 1-109: not changed. This is a library condition.

Page 9 of 13
1-116: not changed
1-117 through 1-127: not deleted. However, will change value on 08/26/04.

Page 10 of 13
1-128, 1-129: not deleted. However, will change value on 08/26/04.
1-130: This was removed as requested, but by doing so it generated an error, because it is a mandatory condition, therefore it must remain in the permit.
1-131, 1-132: not changed.

1-133: deleted as requested.
1-134: not deleted.
1-135: not deleted, but corrected spelling, punctuation
1-136: not deleted. This is a library condition.
1-138: not deleted
1-139: not deleted

Page 11 of 13
1-140, 1-141: not deleted
1-142: please provide correct value, so that in may be put in permit.
1-143 through 1-150: not deleted. See response to paragraph 1, "Non-Applicability of Conditions" above.
1-151: not deleted

Page 12 of 13
1-152 through 1-156: not deleted
1-157: please provide correct value
1-158 through 1-164: not deleted (see 1-143-150 above)

Page 13 of 13
1-165 through 1-167: deleted as requested

June 15, 2004 letter

"General Comments"

First paragraph: *make regulatory citation as specific as possible.* See response to July 2, 2004 letter item 1 (third paragraph) under **"Comments Regarding the CPT, OPLs and NOC."**

Second paragraph: *Condition 1-5.* See list below, page 10 of 13.

Third paragraph: *"too detailed"* conditions. See response to July 2, 2004 letter item 1 under **"General Comments."**

Fourth paragraph: *format of conditions as compliance certifications.* See response to July 2, 2004 letter item 2 under **"General Comments."**

Fifth paragraph: *delete non applicable requirements.* Deleted as requested. See list below.

Sixth paragraph: deleted RCRA-based conditions.

"Opacity-Related Conditions"

Permit conditions 1-15 and 1-178. See list below, pages 10,12 of 13. Also, added 2 conditions that require that the clinker coolers be checked daily.

Permit conditions 1-176 and 1-177. See list below, page 11 of 13.

Page 1 of 13
1-180: changed averaging method to "see monitoring description"
1-181, 1-182, 1-185: deleted as requested

Page 2 of 13
1-190 through 1-192: not changed
1-196, 1-197: changed as requested

Page 3 of 13
No changes requested.

Page 4 of 13
1-203 through 1-205: not changed
1-206, 1-207: deleted as requested
1-208: this is a library conditions
1-210: not changed. This condition is not an exact duplicate of 1-223.

Page 5 of 13
1-211, 1-212: deleted as requested
1-213: changed as requested. However, citation could not be made more specific in AFS.
1-214: deleted as requested
1-215: not changed
1-217: deleted as requested
1-218, 1-219: not changed

Page 6 of 13
1-220: not changed. This is a library condition.
1-221: deleted as requested
1-222, 1-223: not changed
1-224, 1-225: deleted as requested
1-226: changed as requested
1-228 through 1-230: deleted as requested

Page 7 of 13
No changes requested

Page 8 of 13
1-16, 1-17: not changed

Page 9 of 13
1-14: this is a mandatory condition written by the central office and cannot be changed by regional staff. However, a new version of this condition was fielded 07/30/04.

Page 10 of 13
1-5, 1-7: deleted as requested
46: There is no reference to 46.8 in cover letter?
1-15: replaced with new library condition
1-19: not changed. DRE only applies for process "KHF".
1-20: not changed

Page 11 of 13
1-25: Added definition of "chemical waste" from Part 225-2.
1-168, 1-173: deleted as requested
1-176, 1-177: changed as requested

Page 12 of 13
1-178: replaced with new library condition
1-232 through 1-238: deleted as requested

Page 13 of 13
1-239: deleted as requested

Thank you for your cooperation and assistance. If you have any questions, please contact me at (518) 357-2278.

Sincerely,

Bruce O'Neill
Environmental Engineer I
Region 4

BO/vaa-dftnorlite

2 enclosures

cc: w/enclosure
Norlite
P. Amin

SPECTRA
ENVIRONMENTAL GROUP, INC.
ENGINEERING, ARCHITECTURE & SURVEYING, P.C.

October 29, 2004

Mr. Ricky Leone
Regional Air Pollution Control Engineer
New York State Department of
Environmental Conservation
Region 4
1150 North Westcott Road
Schenectady, NY 12306

NOV 0 3 2004

RE: Norlite Corporation Title V Permit
DEC Facility No. 4-0103-0016/00048

Dear Mr. Leone:

On behalf of Norlite Corporation (Norlite), I am writing to offer comments on the revised draft Title V air permit provided to Norlite by Bruce O'Neill on September 2, 2004.

First, we would like to thank you and Mr. O'Neill for the level of diligence displayed in the revised draft permit. Our detailed review of the permit and associated application forms and reports generated by AFS indicates that Mr. O'Neill has done a good job responding to Norlite's requests and concerns. Many duplicate or inapplicable conditions have been deleted or revised; As a result of his efforts, the current draft permit has been significantly streamlined, compared to the prior draft.

While Mr. O'Neill has been diligent in his efforts to accommodate Norlite's requests, several of the Company's more general concerns regarding the permit were not addressed in the revised draft. In many cases, it appears that Norlite's requests were rejected because the desired changes require Central Office to make changes to AFS. Although we recognize that this imposes a burden on the Department, Norlite nonetheless believes that the changes should be made. We are therefore reiterating certain general requests and are asking Region 4's assistance and support in making the necessary changes, consistent with guidance offered at the recent Business Council forum on Title V permitting. Other changes discussed below will require representatives in DEC's Central Office to agree that Title V, Subpart EEE and other MACT standards contain all conditions necessary and sufficient to regulate HAP and air toxic emissions and that conditions derived from Norlite's Part 373 hazardous waste permit need not be included in the Title V permit.

Norlite has the following general observations concerning the September 2, 2004 draft permit, which are re-stated from the prior review:

1. ***Hazardous waste permit provisions.*** The September 2, 2004 revised draft permit was a substantial improvement over the earlier draft with respect to the inclusion of Part 373-based conditions. DEC deleted from the Title V permit Part 373-based conditions relating to pollutants already regulated under Subpart EEE, thus avoiding unnecessary and duplicative permit conditions. In particular, DEC deleted former Permit Conditions Nos. 1-168 and 1-173. However, the draft permit still includes several provisions that are derived from Norlite's hazardous waste permit. Norlite continues to believe that the references to the Company's hazardous waste permit requirements have no place in its Title V permit. As discussed in previous submissions to the Department, Norlite's kiln emissions already are thoroughly regulated under Part 373 and Subpart EEE. As a result, there is no reason to include conditions based on the facility's Part 373 permit in the Title V permit. In fact, including these conditions complicates the permitting process since the Department will be compelled to revise the Title V permit every time it makes changes to the Part 373 permit. Therefore Norlite reiterates its request to delete Permit Condition Nos. 1-169 through 1-172, 1-174 and 1-175 (now 1-127 through 1-129, and 1-137 through 1-139).

2. ***Operational flexibility.*** DEC previously deleted the operational flexibility (Op Flex) provision found in Condition 1-5 of the facility's current Title V permit. Norlite believes that some type of operational flexibility provision is necessary to allow it to make minor changes in facility operations such as replacements in kind of control devices, monitoring instruments, or equipment movements, within the scope of 6 NYCRR 201-5.4(b). Many other permittees have detailed Op Flex conditions, such as the citation included in Appendix A, which is excerpted from the GE Schenectady permit, Permit ID No. 4-4215-00054/00173 The language of the cited provision, 6 NYCRR 201-5.4(b), is acceptable; Norlite requests that DEC include comparable language in its Title V Permit.

3. ***Opacity.*** The monitoring required to comply with 6 NYCRR 212.6(a) (for example, Permit Condition 1-15) raise several concerns. In particular, the permit requires Norlite to contact DEC immediately if it observes visible emissions above normal levels after corrections are made and then conduct a Method 9 observation. Norlite believes it would be more appropriate to require DEC notification *after* Norlite completes the Method 9, as found in other permit conditions such as the citation excerpted from Finch Pruyn & Co., Inc. Permit ID No. 5-5205-00005/00059 and included in Appendix A.

4. ***MACT provisions.*** DEC has significantly revised the conditions relating to compliance with various MACT standards (i.e., 40 C.F.R. Part 61, subpart V, and 40 C.F.R. Part 63 subparts DD, PP and EEE). The revised conditions in the September 2 2004 draft more nearly capture the above provisions; however Norlite believes certain provisions remain inapplicable, or should be revised to more accurately reflect certain regulatory requirements. Norlite offers suggestions to that effect in its detailed comments. Of particular note, the DEC-proposed conditions now accurately reflect in most cases the

Subpart EEE MACT compliance provisions as identified in the CPT and NOC of August 26, 2004. However these operating limits may change in the future, with a new CPT and NOC; also, these limits may differ by individual kiln. To facilitate future changes, Norlite is asking that certain provisions be cited by emission point (i.e., for each kiln) to allow for possible differences in operating limits between kilns following a new CPT. Suggested language is provided in the detailed review, and in additional comments below.

5. ***Citation Specificity.*** In many cases, Norlite requested citation to the specific paragraph and subparagraph defining the exact requirement cited. The Department noted in these cases that AFS does not provide that level of citation specificity. In that case, we would like to request either that AFS be modified or that the exact citation be placed in the text of the Monitoring Description. Including precise citations to applicable requirements is important to Norlite, the Department, the EPA and the reviewing public both during the permit review process and for enforcement purposes. It is in the interest of all parties involved to be clear and concise as to what provisions apply, and by extension what provisions do not apply.

6. ***Permit Brevity.*** Permit Conditions 1-74 through 1-77 include several pages of details concerning CPT and CT performance. Norlite does not believe that these details need to be contained in the permit. We request that the Department consider truncating information in the Monitoring Description for brevity.

7. ***Non-Applicability of Conditions.*** As noted previously, only the baghouses and venturi scrubber on each kiln, K1CT2/K2CT2 and K1CT3/K2CT3 are used for purposes of Subpart EEE compliance. The Department has removed most references to the other control devices on the kilns, the multiclones (K1CT1/K2CT1), the MMV Contactors (K1CT4/K2CT4) and the Ducon mist eliminators (K1CT5/K2CT5), which Norlite appreciates. However, Conditions 1-121, 1-123, 1-124, and 1-126 remain. Since these units are not identified in the CPT, they are not subject to Subpart EEE. Norlite reiterates its request that DEC delete these conditions from the permit.

   Norlite would also like to elaborate on previous comments which appeared to raise some questions on the part of DEC.

8. ***Library Conditions.*** Norlite understands the term "Library Condition" to refer to those conditions which are not identified as a "Compliance Certification", but rather are simple citations to applicable requirements for reference purposes, such as Permit Condition 1-17 "Calculation of Rolling Averages". Norlite believes that several conditions included in the permit as Compliance Certifications would be better cited as Library Conditions. These consist primarily of conditions that are so broad or vague that it is unclear what Norlite would "certify" to.

   8.1 **Broad Citations.** For example, Condition 1-118 states that "The facility shall meet all of the applicable recordkeeping and reporting requirements of 1211". The citation of the applicable federal requirement makes clear that this means 40 CFR

63.1211. However, it is not at all clear which of the dozens of individual provisions in the regulation cited are specifically being addressed, and why this blanket requirement is being identified here as a compliance certification. Norlite fully intends to comply, and does not object to a declarative statement condition such as "The facility shall meet all the applicable ... requirements of 1211." However making it a certification implies that the facility must list each separate provision, make the applicability determination, and cite compliance with each one, every six months in the compliance monitoring report. This would be extremely burdensome to Norlite, the DEC, and the EPA; and as such we do not believe it to be acceptable, or what is intended by the Department. We urge that this type of condition simply be listed.

8.2 **Monitoring Format.** In other instances, the Department did not respond, or has indicated in its September 4, 2004 letter to Norlite that the condition *"is a library condition (monitoring format)"*; however, these conditions are not distinguished from any other compliance certifications that Norlite can determine. Norlite therefore reiterates its request to remove compliance certifications for these conditions: 1-89, 1-92, 1-96, and 1-97.

9. ***Overly Broad References.*** In Permit Conditions 1-32 through 1-40, which contain emission limits under Subpart EEE, DEC added the following statement to the Monitoring Description: "Also, intermittent testing shall be done and shall meet 1207, 1208". Norlite feels that 40 CFR 63.1207 and 1208 are amply covered elsewhere in the permit, (e.g., Permit Conditions 1-71 through 1-85). Norlite has implemented the CPT as specified, using the specified methods. We do not feel that the repetitive citation of 1207 and 1208 adds anything. To the contrary, the citations complicate the compliance certification process by incorporating nonapplicable requirements into these conditions. Norlite believes these references to 1207 and 1208 should be removed. If the Department decides that they must be included, Norlite asks DEC to re-phrase the language as follows: "... testing **for this parameter** shall be (performed) and shall meet the requirements of (40 CFR 63.)1207 and 1208... **as they apply to the parameter cited.**" Norlite's suggested rewording is in bold and parentheses.

10. ***Direct Citation from NOC vs. Reference.*** In the requirements now found in Conditions 1-107, 1-109, 1-110, 1-113, 1-114 and others, Norlite had requested that DEC delete specific operating limits from the CPT as reported in the NOC. In their place, Norlite proposed to include the following general language: "... the values reported in the most recent NOC." Norlite proposed this approach out of concern that it would be required to modify its permit whenever a new CPT is conducted. The Department rejected Norlite's suggestion, preferring to incorporate the operating limits from the most recent CPT into the permit. Since the values derive from compliance testing performed in accordance with Subpart EEE, the results of which are independently noticed in accordance with SEQRA and the Uniform Procedures Act, we assume that future values can be incorporated as off-permit changes such as those authorized by 6 NYCRR 201-6.7(b)(1)(v), and would not require a formal permit modification. In that case, the use of values directly is acceptable.

11. ***Training Provisions.*** The training provisions found in Conditions 1-62 through 1-66 (formerly 1-70 through 1-75) may be combined without any adverse impact to compliance. Norlite also believes that these should be library conditions, not certifications. (1-72 was deleted as requested).

Norlite would also like to point out several instances where the Department expressed its intent to make a requested change, but did not, or changed a different condition; or perhaps inadvertently deleted a process reference that Norlite believes is essential.

12. ***Deletion of Processes in Process-specific Conditions.*** In several instances, DEC deleted a process citation where one is necessary to limit the scope of the condition. Examples include Condition 1-16, which addresses AWFCO investigations, for which KHF is the only applicable process; 1-17 and 1-18 refer to rolling averages that are again applicable only to KHF; for these conditions, the reference to KHF should be restored.

13. ***Monitoring & Reporting Changes Requested.*** There are several conditions that require changes to the monitoring or reporting requirements.

13.1 **Reporting Upon Request vs. Semi-annually.** For several one-time or infrequent obligations, such as O&M manual preparation or CPT performance, the reporting frequency was "upon request" but is now "semiannually"; in other cases, Norlite requested that these be changed to "upon request" since these occur typically only once per permit period, and re-reporting every six months does not enhance compliance. Norlite requests that these infrequent reports be submitted as described in the individual monitoring provisions; i.e. the reporting frequency should state "See Monitoring Description". Examples include conditions 1-69, 1-71 and 1-72.

13.2 **Averaging Times.** Several averaging times in new conditions are incorrect, as follows: Permit Conditions 1-109 and 1-110 should be "hourly average" not "minimum" or "maximum"; Permit Conditions 1-133, 1-134, 1-135, 1-136, 1-143, 1-144 1-145, and 1-146 should all indicate an average "calculated each minute" vs. "each hour".

13.3 **Reporting Time.** In its September 2, 2004 letter, the averaging time for condition 1-59 was noted as "changed as requested." However, no change was made. The reporting date should be changed from 5 to 30 days after the reporting period.

13.4 **Other Monitoring and Reporting:**

- Condition 1-87 was added requiring calibration etc. of a CO monitor "continuously" with "quarterly reporting"; Norlite believes that the Monitoring Frequency should be revised to specify "see monitoring description" given that installation and calibration of the CEMS are not 'continuous' although operation of the unit is; moreover, the cited regulation does not require quarterly reporting (which is covered instead in Condition 1-88). The Reporting Requirement should

therefore be changed to "semi-annually" or "upon request".

- In its September 2, 2004 letter, the Department had indicated that references to PS-1 and COMS were deleted for Condition 1-88. However, these changes were not made. Please remove this text.

The following comments respond to specific questions or notations made by the Department in your letter of September 2, or provide new information that should be included in the permit:

14. ***Condition 46:*** Norlite neglected in its prior comments to include specific text and comments that we believe should be addressed in the Title V permit.

14.1 **Change Requested.** Norlite may elect to operate the Portable Jaw Crusher, PRTJC in 46.1 7 days per week; Norlite requests that DEC correct this information in the permit.

14.2 **Exclusions Requested.** The Miscellaneous Processes covered by "MISCES" have a significant number of processes that should not be governed by opacity citations under Permit Condition 1-151: 46.6 – Process DRS, Source DRUMS; 46.8 – Process FTS, Source FTRAN; 46.10 – Process ULF, Sources CARB1, DRUMS, and ULFFT; and 46.17 – Process TLD, Sources WTSRT, LDPRT and TRANS; these processes do not generate particulates or opacity-generating gases. (Please also note other opacity comments above.). Please revise Permit Condition 1-151 to expressly exclude these sources from the opacity monitoring requirement.

14.3 **Addition of Tanks Requested.** Norlite has noted that several tanks identified in the Part 373 permit Section D-2(b), [Subpart 373-1.5(c)(2)] are not included in the description of S-TANKS that we believe should be included. Currently, 46.11 and 46.12 list a total of 10 tanks. Four more tanks (101A & B, 102A & B) should be added, each with a capacity of 1,264 gallons; in addition, tank SP100, with a capacity of 623 gallons, should also be added. The list from the RCRA permit is attached.

14.4 **Identification of Specific Non-hazardous Fuels Requested.** Items 23.2 and 46.3 should have "specification and off-specification used oil fuel" stated in place of "non-hazardous waste oils". To draw the distinction "Waste Fuel A" should also be listed. Item 46.5 should also identify "specification and off-specification used oil fuel".

14.5 **Process Source/Control Corrections Requested.** Several processes listed as sources are actually controls: K1FCT, K1RCS, K2FCT, K2RCS, and possibly DPCHT and DRCHT. To properly assess these sources, Norlite believes it would be useful to review the Department's AFS report identifying each process/control as was originally submitted, if such a report is available.

Miscellaneous comments:

15. ***Emission Point Specific Conditions.*** Norlite had requested that DEC consolidate CPT-based OPL conditions in prior comments. Although the Department did not agree to this request, it did revise the conditions to reflect the most recent CPT, as reported in Norlite's 8/26/04 NOC. In several cases, DEC provided paired conditions for each kiln for a specific parameter, such as the new conditions 1-130 & 1-140 (Max. production); 1-131 & 1-141 (waste feed rate); 1-133 & 1-143 (As, Be, Cr rate); etc. While this approach is perhaps contrary to efforts to streamline the permit, setting separate conditions for each kiln makes sense, because the CPT may give rise to different OPLs for each kiln. Norlite therefore requests that DEC establish separate conditions for each kiln for other CPT parameters, as cited in conditions 1-105 (Min. kiln temp.); 1-106 (Max. firing rate); 1-107 (dioxins/furans); 1-109 (scrubber tank level): 1-110 (scrubber blowdown rate); 1-111 (baghouse inlet temp.); 1-113 (scrubber pH); 1-114 (scrubber liquid/gas ratio); and 1-115 (kiln pressure). These parameters are likely to be different for each kiln in future CPTs.

16. ***Inclusion of the Fugitive Dust Plan.*** Norlite has developed and implemented the Fugitive Dust Plan (FDP) in cooperation with the Department, and has amended it and worked with the Department to minimize fugitive dust. The plan is complex, and has many separate provisions; as such it should remain a separate document, and should be removed from the Title V permit.

Again, we appreciate the Department's recent efforts in revising Norlite's Title V permit. Although this process has taken far longer than Norlite and the Department anticipated, we believe that the September 2, 2004 draft permit represents a marked improvement over the Company's current permit, and the prior draft. After you have had an opportunity to review those comments, we request an opportunity to meet with you to discuss the Department's intended disposition or resolution of Norlite's comments, prior to issuance for public comment, to address any questions or concerns.

Very truly yours,

SPECTRA ENVIRONMENTAL GROUP, INC.

Peter B. Desrochers, PE

Attachments

cc: Bruce O'Neill
William Clarke

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Appendix A – Citations from other permits

1. Operational Flexibility Provisions – From 201-5.4(b), incorporated into other permits.

(1) Certain changes which meet the criteria under (i) - (iii) below may be conducted without prior approval of the Department and shall not require modification of the permit. The facility owner and/or operator must however maintain records of the date and description of such changes and make such records available for review by Department representatives upon request.
(i) Changes that do not cause emissions to exceed any emission limitation contained in regulations or applicable requirements under 6 NYCRR.
(ii) Changes which do not cause the subject emission unit, emission source, process, or emission point to become subject to any additional regulations or requirements under 6 NYCRR.
(iii) Changes that do not seek to establish or modify a federally-enforceable emission cap or limit.

(2) In addition to the record keeping required under (C)(1) above, the permittee must notify the Department in writing at least 30 calendar days in advance of making changes involving:
(i) the installation or relocation of any emission unit, emission source, process, or emission point within a facility;
(ii) the emission of any air pollutant not previously authorized or emitted in accordance with a permit issued by the Department;
(iii) the installation or alteration of any air cleaning installation, device or control equipment.

(3) The Department may require a permit modification, in order to impose applicable requirements or special permit conditions if it determines that changes proposed pursuant to notification under (2) above do not meet the criteria under (1) above or the change may have a significant air quality impact. In such cases the Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the change for air quality impacts and/or applicable requirements. The Department shall respond to the permittee in writing with such a determination within 15 days of receipt of the 30 day advance notification from the permittee. The Department's determination shall include a listing of information necessary to further review the proposed change.

2. Visible Emissions Limitations – Follow-up Actions incorporated into other permits

Observation of any visible emissions *that are abnormal* shall prompt immediate investigation and appropriate corrective action. If the operator observes any visible emissions (other than steam - see below) two consecutive days, then a Method 9 analysis (based on a 6-minute average) of the affected emission point must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the standard of 20% or greater average opacity for any consecutive 6 minutes is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance. (Text in Italics are from the Norlite permit)

Appendix B – List of Norlite Tanks, taken from the facility Part 373 Permit

D-2(b) Dimensions and Capacity of Each Tank

[6NYCRR Subpart 373-1.5(c)(2)]

The following table shows the current data of each t at the time of application:

TANK #	DIAMETER	SIDE LENGTH	SHELL THICKNESS	MAX. CAPACITY (GALS.)
300	10'11"	40'10"	>3/8"	27,903
400	10'11'	40'10"	>3/8"	27,903
500	10'11'	40'10"	>3/8"	27,903
600	9'2"	39'3"	>3/8"	18,940
100A	11'0"	11'0"	1/4"	9,491
100B	11'0"	11'0"	1/4"	9,491
100C	11'0"	11'0"	1/4"	9,491
200A	11'0"	11'1"	3/4"	10,663
200B	11'0"	11'0"	1/4"	9,491
200C	11'0"	11'0"	1/4"	9,491
101A	5'	7'6"	1/4"	1,264
101B	5'	7'6"	1/4"	1,264
102A	5'	7'6"	1/4"	1,264
102B	5'	7'6"	1/4"	1,264
SP100	4'8"	4'7"	1/4"	623

*All dimensions are nominal

Appendix C – Detailed Comments by Permit Condition
(See attached Spreadsheet)

Citation	Seq #	Cond. No. & Short Summary	Description/Discussion	Action Previously Requested of DEC	DEC Response Letter 9/2/04; Norlite's Reply (Bold Type)
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change					
Federally Enforceable - Facility Level					
40CFR60.672(c), Subpart OOO	21	1-13 Compliance Cert, Opacity 15% for crushers without capture systems.	EU: C-RUSHS, Proc:OOO. Library Condition for 1-17.	Please delete or revise to a non-applicability statement - Norlite has no new or modified units subject to this provision.	Not changed per DEC; but now applies specifically to ES=PRTJC. **Please note requested change for PRTJC hours of operation; see cover letter re "Condition 46."**
40CFR60.675(c), Subpart OOO	22	1-14 Compliance Cert, Opacity 15% for fugitives; new unit testing.	EU: C-RUSHS, Proc:OOO.Replaces Cond 47; 3-hr or 1-hr opacity test for new units.	Please delete or revise to a non-applicability statement - Norlite has no new or modified units subject to this provision. Did so per "non-applicability" section of application.	Not changed per DEC; but now applies specifically to ES=PRTJC. **This condition should be deleted. The deadline for performing an initial performance test has passed.**
40CFR61.242-1(d), Subpart V	10	1-8 General Standards -mark equipment distinctly from non-Subpart V equipment	This applies to "equipment leaks"per 63.680(c)(3); 683(d); and 63.691(b)(1)	NC	
40CFR61.242-10, NESHAP Subpart V	167	1-159 Standards for delay of repair	EU: M-ISCES. Allows delay of repairs through isolation, or until S/D, or replacements obtained, or if repair results in greater emissions than leak.	L; NC	
40CFR61.242-11, NESHAP Subpart V	168	1-160 Standards for closed-vent systems	EU: M-ISCES. Closed vent systems, no visual evidence and <500 ppm above background initially and annually.	L; Please cite specifically to 40 CFR 61.242-11(f).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR61.242-11, NESHAP Subpart V	169	1-161 Standards for operation of closed vent systems and control devices	Operate CD at all times when emissions may be vented to them.	L; Please cite specifically to 40 CFR 61 242-11(m).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR61.242-11, NESHAP Subpart V	170	1-162 Standards for vapor recovery systems	EU: M-ISCES. Vapor recovery system efficiency: =>95%	L; Please cite specifically to 40CFR 61 242-11(b).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR61.242-2(a)(1), NESHAP Subpart V	160	1-152 Compliance Certification	EU: M-ISCES. Equipment leak monitoring, all pumps. Once/month. Upper Limit: 10000 ppmv.	NC	
40CFR61.242-2(a)(2), NESHAP Subpart V	161	1-153 Compliance Certification	EU: M-ISCES. Equipment leak monitoring, all pumps. Once/week for visual liquid drips.	Please delete averaging method. It is not consistent with visual inspection.	Changed averaging method to "see monitoring description." **Change reporting to "semi-annually (calendar)"**
40CFR61.242-6, NESHAP Subpart V	162	1-154 Standards for open ended valves or lines	EU: M-ISCES. All such line ends must be capped, plugged, blanked or double-valved.	L; NC	
40CFR61.242-7(a), NESHAP Subpart V	163	1-155 Compliance Certification	EU: M-ISCES. Equipment leak monitoring, all valves. Once/month. Upper Limit: 10000 ppmv. If passes for 2 consecutive months, once/qtr.	NC	
40CFR61.242-7(g), NESHAP Subpart V	164	1-156 Standards for valves: exemption for unsafe-to-monitor valves	EU: M-ISCES. Exempt if normally unsafe and have written plan to check when safe.	L; NC	

Citation	Seq #	Cond. No. & Short Summary	Description/Discussion	Action Previously Requested of DEC	DEC Response Letter 9/2/04; Norlite's Reply (Bold Type)
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change					
40CFR61.242-7(h), NESHAP Subpart V	165	1-157 Standards for valves: exemption for difficult-to-monitor valves	EU: M-ISCES. Exempt if at high elevation, existing process unit, and monitor once/yr.	L; NC	
40CFR61.242-8, NESHAP Subpart V	166	1-158 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Pressure relief devices and flanges in liquid service. Monitor if visual, audible, olfactory evidence of a leak. Upper limit: 10000 ppmv.	NC	
40CFR61.243-2, NESHAP Subpart V	171	1-163 Compliance Certification (EU=M-ISCES)	EU: M-ISCES. Valve leak detection. If <=2% of valves for 2 qtrs, may skip 1 qtr leak detection period. If <=2% of valves for 5 qtrs, may skip 3 qtr leak detection periods. When >2% go back to provisions of 40CFR61.242-7 and start over.	NC	
40CFR61.245(b), NESHAP Subpart V	172	1-164 Monitoring requirements	Instrument performance criteria and calibration must meet Method 21 requirements.	L; NC	
40CFR61.245(c), NESHAP Subpart V	173	1-165 Monitoring requirements for no detectable emissions	Method 21 procedural methods and background level calculations. 40CFR61.245(b)(1-4).	L; NC	
40CFR61.246(b), NESHAP Subpart V	174	1-166 Compliance Certification - Recordkeeping for leaking equipment.	EU: M-ISCES. Pump and valve recordkeeping requiremnts when a leak is detected.	Please note cite should be 246(c).	Changed as requested. **No further comment.**
40CFR61.246(c), NESHAP Subpart V	175	1-167 Compliance Certification - Marking of leaking equipment.	EU: M-ISCES. Pump and valve identification (labeling) requirements when a leak is detected.	Please note cite should be 246(b).	Changed as requested. **No further comment.**
40CFR61.246(d) Subpart V	11	1-9 Recordkeeping –maintain design specs for closed-vent systems	This applies to "equipment leaks"per 63.680(c)(3); 683(d); and 63.691(b)(1)	NC	
40CFR61.246(e), NESHAP Subpart V	176	1-168 Compliance Certification	EU: M-ISCES. Equipment log lists readily accessible: (1) equipment subject to leak detection; (2) equipment < 500 ppm above background.	NC	
40CFR61.246(f), NESHAP Subpart V	177	1-169 Compliance Certification	EU: M-ISCES. Equipment log lists readily accessible: (1) equipment unsafe to monitor; (2) equipment difficult to monitor. Explanation for classification and planned schedule for monitoring.	NC	
40CFR61.247 (a)(1) Subpart V	13	1-10 Reporting requirements - Initial notice to EPA of Subpart V equipment	This applies to "equipment leaks"per 63.680(c)(3); 683(d); and 63.691(b)(1)	NC	

Citation	Seq #	Cond. No. & Short Summary	Description/Discussion	Action Previously Requested of DEC	DEC Response Letter 9/2/04; Norlite's Reply (Bold Type)
L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change					
40CFR61.247, NESHAP Subpart V	178	1-170 Compliance Certification	EU: M-ISCES. Detailed requirements for semiannual report on leak detection activities	NC	
40CFR63, Subpart A	39	1-31 Compliance Certification; comparison of EEE provisions with general ones of 40 CFR 63 Subpart A	EU:K-ILNSG; Proc=KHF. This emission source is subject to the applicable provisions of 40 CFR 63 Subpart A and EEE Table 1 conditions; already identified elsewhere.	L; Please revise to a library condition, since it is a statement of fact; Norlite complies through the other provisions of the permit.	Changed as requested. **No further comment.**
40CFR63.10 Subpart A	16	38 § 63.10(b) Part 63 General Recordkeeping Requirements – 5 year	The owner or operator of a source subject to the provisions of 40CFR63.4, Subpart A shall maintain files of all required information readily available for inspection and review.	NC	
40CFR63.10(d) Subpart A	17	39 §63.10(d) Part 63 General Reporting Requirements	The owner or operator of a source subject to the reporting requirements shall submit reports to the Department in accordance with the reporting requirements	NC	
40CFR63.1205(a)(1), Subpart EEE	40	1-32 Compliance Certification; Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing: dioxin/furan. Upper limit: 0.2 ng, or temperature quench to 400 deg F or lower.	Please delete last sentence in Monitoring Description, which is too broad to certify to.	Not changed. **Norlite reiterates its request to delete the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**
40CFR63.1205(a)(2), Subpart EEE	41	1-33 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for Hg. Upper limit: 120ug.	Please correct test method citation to 40CFR60, Method 29 (not 40CFR63), and delete last sentence in Monitoring Description, which is too broad to certify to.	Changed test method only. **Norlite reiterates its request to delete or revise the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**
40CFR63.1205(a)(3), Subpart EEE	42	1-34 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF Intermittent testing for Cd, Pb (combined). Upper limit: 250ug.	Please correct test method citation to 40CFR60, Method 29 (not 40CFR63), and delete last sentence in Monitoring Description, which is too broad to certify to.	Changed test method only **Norlite reiterates its request to delete or revise the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**
40CFR63.1205(a)(4), Subpart EEE	43	1-35 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for As, Be, Cr (combined). Upper limit: 110ug.	Please correct test method citation to 40CFR60, Method 29 (not 40CFR63), and delete last sentence in Monitoring Description, which is too broad to certify to.	Changed test method only; still too broad to certify. **Norlite reiterates its request to delete or revise the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**
40CFR63.1205(a)(5)(i), Subpart EEE	44	1-36 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. CEM for CO. Upper Limit:100 ppm. Siemens/CISCO Ultramat 5E. Also testing to meet 1207, 1208, 1209 (CEMS).	Please remove instrument name and model to allow for equipment replacement without permit modification; and delete last sentence in Monitoring Description, which is too broad to certify to.	Not changed. **Norlite reiterates its requests to remove the instrument name and model, since it is not necessary for compliance certification and will complicate equipment replacement. Please also delete or revise the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**

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40CFR63.1205(a)(5)(ii), Subpart EEE	45	1-37 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for Hydrocarbons per 1207, 1208. Upper Limit: 20 ppm.	Please delete last sentence in Monitoring Description, which is too broad to certify to.	Not changed. **Norlite reiterates its request to delete or revise the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**
40CFR63.1205(a)(6), Subpart EEE	46	1-38 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for HCl & Cl2 per 1207, 1208. Upper Limit: 600 ppm.	Please cite specific Test Method(s) under "Reference Test Method"; and delete last sentence in Monitoring Description, which is too broad to certify to.	Not changed. AFS does not allow a limit to be placed in a record keeping condition. **Norlite disagrees; please see cover letter re: "Overly Broad References".**
40CFR63.1205(a)(7), Subpart EEE	47	1-39 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for PM per 1207, 1208. Upper Limit: 57mg/m3.	Please correct to specified Method 5 or 51 (not 51); and delete last sentence in Monitoring Description, which is too broad to certify to.	**Norlite reiterates its request to delete or revise the last sentence of the monitoring description. See cover letter re: "Overly Broad References".**
40CFR63.1205(c)(1), Subpart EEE	48	1-40 Compliance Certification; Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermittent testing for DRE for POHC (Principal Organic Hazardous Constituent) per 1207, 1208. Lower Limit: 99.99%.	Please cite specific Test Method (1205(c)) under "Reference Test Method" if testing is desired. Please change to see Monitoring Description.	Norlite agrees to drop its comment in recognition of the fact that POHC is not a regulated contaminant. However, Norlite requests that DEC replace the correct Reference Test Method (40CFR) with "See Monitoring Description" to minimze confusion
40CFR63.1205(c)(2), Subpart EEE	23	1-15 Compliance Certification; Prohibits F020, F022, F023, F026, or F027 combustion.	EU: K-ILNSG; Provision requires 99.9999% DRE, but does not prohibit combustion of the referenced wastes; must notify of intent to burn these wastes.	L; Please restate in accordance with 40CFR63 Subpart EEE; however, Norlite does not burn these wastes.	Reworded. No longer a prohibition. "If you burn dioxin-listed hazardous wastes:...you must meet the requirements of 1205(c)(2)." **No further comment.**
40CFR63.1205(d), Subpart EEE	49	1-41 Compliance Certification, Intermittent testing.	EU: K-ILNSG; Proc=KHF. Intermediate calculations under 1205(a) & (b) must have 3 significant figures, but may round to 2 to document compliance.	NC	
40CFR63.1206(b)(1), Subpart EEE	50	1-42 Periods when emission units are subject to Subpart EEE.	EU: K-ILNSG; Proc=KHF. Subpart EEE not applicable during SSM and when no hazardous waste is combusted	L; NC	
40CFR63.1206(b)(11), Subpart EEE	55	1-47 Calculation of hazardous waste residence time.	EU: K-ILNSG; Proc=KHF. Calculation must be in performance test plan. Residence time must be in compliance documentation.	L; NC	
40CFR63.1206(b)(12), Subpart EEE	56	1-48 Documenting compliance with the emission standards based on performance testing.	EU: K-ILNSG; Proc=KHF. Performance testing requirements under Subpart EEE, average of 3 runs demonstrates compliance with DRE; individual test runs must also comply.	L; NC	
40CFR63.1206(b)(2), Subpart EEE	51	1-43 Methods for determining compliance with Subpart EEE.	EU: K-ILNSG; Proc=KHF. Perfomance testing must be done at extreme end of normal operating conditions.	L; NC	
40CFR63.1206(b)(5), Subpart EEE	52	1-44 Compliance Certification. Design or operation changes that may affect HAPs.	EU: K-ILNSG; Proc=KHF. Changes to practices, etc for params. not monitored with CEMS (HAPs) require new CPT.	NC	

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40CFR63.1206(b)(6), Subpart EEE	53	1-45 Compliance Certification; use of CO monitoring as a DRE surrogate.	EU:K-ILNSG; Proc=KHF. Use of DRE testing and CO CEMS to demonstrate compliance with CO, HC standards.	NC	
40CFR63.1206(b)(7), Subpart EEE	54	1-46 Documentation of Compliance with DRE standard.	EU: K-ILNSG; Proc=KHF. DRE testing requirements.	L; NC	
40CFR63.1206(c)(1), Subpart EEE	57	1-49 General operating requirements, operate as permitted.	EU: K-ILNSG; Proc=KHF. Operate only under requirements as specified in DOC or NOC	L; NC	
40CFR63.1206(c)(2), Subpart EEE	58	1-50 Identification of projected oxygen correction factor.	EU: K-ILNSG; Proc=KHF. Identify the oxygen correction factor for periods of SSM.	L; Please cite specifically to 1206(c)(2)(iii).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(2), Subpart EEE	59	1-51 Recording of Startup/Shutdown/ Malfunction (SSM) plan.	EU: K-ILNSG; Proc=KHF. Must place the SSM plan in the operating record.	L; Please cite specifically to 1206(c)(2)(iv).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(2), Subpart EEE	60	1-52 Compliance Certification. Must confirm facility follows SSM plan.	EU: K-ILNSG; Proc=KHF. Reiterates 40 CFR 63 SSM plan requirements, and documentation that plan is followed.	L; Please cite specifically to 1206(c)(2)(v).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(2), Subpart EEE	61	1-53 Compliance Certification. All AWFCO conditions apply during SSM, w/exceptions; 10-exceedance reporting.	EU: K-ILNSG; Proc=KHF. HAPs - AWFCO requirements continue to apply except as stated during malfunction; report each 10 exceedances with waste in chamber within 45 days.	Please cite specifically to 1206(c)(2)(v)(A).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(3), Subpart EEE	24	1-16 Corrective measures. Investigate AWFCO.	EU: K-ILNSG. Investigate AWFCO if any standard or operating requirement is exceeded after any waste cut-off.	L. Please cite specifically to 1206(c)(3)(i)(A) - (D).	Not changed per DEC. **Norlite notes that condition made applicable to entire Emission Unit K-ILNSG. Must be made specific to PROC=KHF. Norlite reiterates its request; please see cover letter re "Citation Specificity." Also**
40CFR63.1206(c)(3), Subpart EEE	62	1-54 Ducting of combustion gases during AWFCO event.	EU: K-ILNSG; Proc=KHF. During AWFCO event combustion gases must be ducted to APCD while waste remains in combustion chamber.	L. Please cite specifically to 1206(c)(3)(ii).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(3), Subpart EEE	63	1-55 Failure of the AWFCO system is a failure to comply with requirement.	EU: K-ILNSG; Proc=KHF. Facility has failed to comply with AWFCO req'ts if AWFCO fails to cutoff waste feed if any compliance parameter exceeded.	L. Please cite specifically to 1206(c)(3)(iv).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(3), Subpart EEE	64	1-56 Restarting waste feed. Must not restart until operating parameters within specified limits.	EU: K-ILNSG; Proc=KHF. Must not restart until all parameters are within specified limits. Parameters must be monitored during cut-off of waste feed.	L. Please cite specifically to 1206(c)(3)(iii).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(3), Subpart EEE	65	1-57 Compliance Certification. Report due in 5 days for 10 exceedences within 60 days.	EU: K-ILNSG; Proc=KHF. HAP report required for each set of 10 exceedences.	Please cite specifically to 1206(c)(3)(vi).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(3), Subpart EEE	66	1-58 Compliance Certification. AWFCO system operating parameters.	EU=K-ILNSG, Proc=KHF. HAPs. Operating requirements of AWFCO.	Please cite specifically to 1206(c)(3)(i).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**

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40CFR63.1206(c)(3), Subpart EEE	67	1-59 Compliance Certification. AWFCO and alarms tested weekly unless unduly restrictive. Minimum monthly testing.	EU=K-ILNSG, Proc=KHF. AWFCO and alarms tested weekly.	Please cite specifically to1206(c)(3)(vii). Semi-annual reports are due 30 days after reporting period not 5 days as specified in permit.	DEC agreed to change report due date only; but did not do so; still 5 days instead of 30 days. **Norlite reiterates its request; please change the report date from 5 to 30 days. See also cover letter re: "Citation Specificity"**
40CFR63.1206(c)(5), Subpart EEE	68	1-60 Compliance Certification. Requirement to control combustion system leaks.	EU=K-ILNSG, Proc=KHF. Combustion system leaks prevented.	NC	
40CFR63.1206(c)(6), Subpart EEE	69	1-61 Certified operator must be present.	EU=K-ILNSG, Proc=KHF. Certified operator must be present at all times source is in operation.	L. Please cite specifically to 1206(c)(6)(ii). See also cover letter.	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(6), Subpart EEE	70	1-62 Record of training and certification of operator required.	EU=K-ILNSG, Proc=KHF. Records of training and certification required for kiln control room operators.	L. Please cite specifically to 1206(c)(6)(i). See also cover letter.	Not changed. **Norlite continues to request consolidation of training cites. See cover letter. Also Norlite reiterates its request for more specific citations; please see cover letter re "Citation Specificity."**
40CFR63.1206(c)(6), Subpart EEE	71	1-63 Requirements for control room operators at lightweight aggregate kilns to be trained and certified under a site-specific plan.	EU=K-ILNSG, Proc=KHF. Control room operators trained under site specific plans.	L. Please cite specifically to 1206(c)(6)(i) or delete, since this is also covered under Condition 1-74, (c)(6)(v). See also cover letter.	Not changed. Norlite continues to request consolidation of training cites. See cover letter. **Also Norlite reiterates its request for more specific citations; please see cover letter re "Citation Specificity."**
40CFR63.1206(c)(6), Subpart EEE	72	1-64 Compliance Certification. Control room operator annual review.	EU=K-ILNSG, Proc=KHF. Control room operators must complete annual review or refresher course.	Please cite specifically to1206(c)(6)(vi). See also cover letter.	Not changed. Norlite continues to request consolidation of training cites. See cover letter. **Also Norlite reiterates its request for more specific citations; please see cover letter re "Citation Specificity."**
40CFR63.1206(c)(6), Subpart EEE	73	1-65 Compliance Certification. Training program elements.	EU=K-ILNSG,Proc=KHF. Training plan contents.	Please cite specifically to 1206(c)(6)(v). See also cover letter.	Not changed. Norlite continues to request consolidation of training cites. See cover letter. **Also Norlite reiterates its request for more specific citations; please see cover letter re "Citation Specificity."**
40CFR63.1206(c)(6), Subpart EEE	74	1-66 Compliance Certification. Training programs for all personnel.	EU=K-ILNSG, Proc=KHF. Training programs for all personnel whose activities may affect emissions.	Please cite specifically to1206(c)(6)(vii). See also cover letter.	Not changed. Norlite continues to request consolidation of training cites. See cover letter. **Also Norlite reiterates its request for more specific citations; please see cover letter re "Citation Specificity."**
40CFR63.1206(c)(7), Subpart EEE	75	1-67 Compliance Certification. Baghouse leak plan.	EU=K-ILNSG, Proc=KHF. Corrective measures for baghouse leaks in O&M plan.	Please cite specifically to 1206(c)(7)(ii).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**
40CFR63.1206(c)(7), Subpart EEE	76	1-68 Compliance Certification. Baghouse leak detection system.	EU=K-ILNSG, Proc=KHF. Baghouse leak detection requirements.	Please cite specifically to 1206(c)(7)(ii)(A).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"**

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40CFR63.1206(c)(7), Subpart EEE	77	1-69 Compliance Certification. Combustor O&M plan.	EU=K-ILNSG, Proc=KHF. Prepare and operate according to plan for all combustor components and associated APCD.	Please cite specifically to 1206(c)(7)(i)(A) to distinguish this condition; Place (A) -(D) in text of monitoring description if necessary to document multiple citations. Please see cover letter for details.	Not changed, except reporting is now semi-annual vs. "upon request" as suggested. **Please change back to "Upon Request"; see cover letter.**
40CFR63.1207(a) , Subpart EEE	78	1-70 Applicability of Subpart A.	EU=K-ILNSG, Proc=KHF. Reiterates that 63.7 requirements apply	L. Please cite specifically to 1207(b)(1).	Not changed. 1207(a) is the proper citation. **No further comment.**
40CFR63.1207(b)(1), Subpart EEE	79	1-71 Compliance Certification. Timing of CPT tests.	EU=K-ILNSG, Proc=KHF. Comprehensive performance tests. Scheduling, notification and reporting requirements.	Please cite specifically 1207(b)(1) to distinguish this condition. Please see cover letter for details.	Changed citation as requested; but did not change reporting to "Upon Request". **Norlite reiterates the latter request; please see cover letter.**
40CFR63.1207(b)(2), Subpart EEE	80	1-72 Compliance Certification. Timing of CT tests	EU=K-ILNSG, Proc=KHF. Confirmatory performance tests for dioxins/furans.	Please cite specifically 1207(b)(2) to distinguish this condition. Please see cover letter for details.	Changed citation as requested; but did not change reporting to "Upon Request". **Norlite reiterates the latter request; please see cover letter.**
40CFR63.1207(e)(2) , Subpart EEE	81	1-73 Public notice of test plan.	EU=K-ILNSG, Proc=KHF. Test plans must be made available to public.	NC	
40CFR63.1207(f)(1), Subpart EEE	82	1-74 Content of comprehensive test plan. Detailed requirements of comprehensive test plan: waste analyses, design of equipment, schedules, etc.	EU=K-ILNSG, Proc=KHF. Specifies plan requirements.	L. Please consider removing this text for brevity. See cover letter.	Not changed. **Norlite reiterates this request; please see cover letter re "Permit Brevity."**
40CFR63.1207(f)(2), Subpart EEE	83	1-75 Content of confirmatory test plan. Detailed requirements of confirmatory test plan: conformance to emissions standards, feedrate and waste analyses requirements, schedules, etc.	EU=K-ILNSG, Proc=KHF. Specifies plan requirements.	L. Please consider removing this text for brevity. See cover letter.	Not changed. **Norlite reiterates this request; please see cover letter re "Permit Brevity."**
40CFR63.1207(g)(1), Subpart EEE	84	1-76 Operating conditions during comprehensive performance test.	EU=K-ILNSG, Proc=KHF. Operating conditions during CPT.	L. Please consider removing this text for brevity. See cover letter.	Not changed. **Norlite reiterates this request; please see cover letter re "Permit Brevity."**
40CFR63.1207(g)(2), Subpart EEE	85	1-77 Operating conditions during confirmatory performance testing.	EU=K-ILNSG, Proc=KHF. Operating conditions during CT.	L. Please consider removing this text for brevity. See cover letter.	Not changed. **Norlite reiterates this request; please see cover letter re "Permit Brevity."**
40CFR63.1207(h)(1), Subpart EEE	86	1-78 Operating conditions during subsequent testing.	EU=K-ILNSG, Proc=KHF. Current operating parameter limits established under §63.1209 are waived during subsequent comprehensive performance testing.	L; NC	
40CFR63.1207(h)(2), Subpart EEE	87	1-79 Operating conditions during subsequent pretesting.	EU=K-ILNSG, Proc=KHF. Current operating parameter limits are waived during pretesting prior to comprehensive performance testing for an aggregate time not to exceed 720 hours of operation.	L; NC	

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40CFR63.1207(j)(1), Subpart EEE	88	1-80 Notification of compliance for comprehensive performance test.	EU=K-ILNSG, Proc=KHF. Within 90 days of completion of a comprehensive performance test, the facility must postmark a Notification of Compliance documenting compliance with the emission standards and continuous monitoring system requirements.	L; NC	
40CFR63.1207(j)(2), Subpart EEE	89	1-81 Notification of compliance for confirmatory performance tests.	EU=K-ILNSG, Proc=KHF. Within 90 days of completion of a confirmatory performance test, the facility must postmark a Notification of Compliance documenting compliance or noncompliance with the applicable dioxin/furan emission standard.	L; NC	
40CFR63.1207(j)(3), Subpart EEE	90	1-82 Notification of Compliance - incorporation by reference.	EU=K-ILNSG, Proc=KHF. Facility must include results of performance tests in the Notification of Compliance.	L; NC	
40CFR63.1207(l), Subpart EEE	91	1-84 Failure of performance test - confirmatory test.	EU=K-ILNSG, Proc=KHF. If the facility determines (based on CEM recordings, results of analyses of stack samples, or results of CMS performance evaluations) that the facility has failed the dioxin/furan emission standard during a confirmatory performance test, the facility must cease burning hazardous waste immediately. The facility must make this determination within 90 days following completion of the performance test.	L; NC	
40CFR63.1207(l), Subpart EEE	92	1-83 Failure of performance test - comprehensive test.	EU=K-ILNSG, Proc=KHF. If the facility has exceeded any emission standard during a comprehensive performance test, the facility must cease hazardous waste burning immediately under that mode of operation. The facility must make this determination within 90 days following completion of the performance test.	L; NC	
40CFR63.1207(l), Subpart EEE	93	1-85 Petition to burn hazardous waste after performance test failure.	EU=K-ILNSG, Proc=KHF. Petition must specify operating requirements to meet Subpart EEE and include schedule for submittiong Notification of Compliance.	L; NC	

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40CFR63.1209(a)(1), Subpart EEE	94	1-86 Compliance Certification. CEMS for CO, HC & 0_2.	EU=K-ILNSG, Proc=KHF. Must use CO or HC CEMS to demonstrate and monitor compliance with the CO and HC standard. Must also use an O2 CEMS to continuously correct the CO or HC level to 7% oxygen.	Please cite specifically to 1209(a)(1)(i), and revise to a library condition, since it is a statement of fact. Norlite complies with this provision.	Not changed. **Norlite reiterates these requests; plese see cover letter, re: "Citation Specificity" and "Library Conditions".**
40CFR63.1209(a)(2), Subpart EEE	95	1-87 Maintain CEMS for CO	EU=K-ILNSG, Proc=KHF. The facility must install, calibrate, maintain, and continuously operate the CEMS in compliance with the quality assurance procedures provided in the appendix to Subpart EEE and PS 4B, Appendix B, 40 CFR 60.		New. **No submittal required under cited section - please revise to reflect no quarterly submittals; Reports are maintained on-site for inspection. Please see cover letter re "Other Monitoring and Reporting."**
40CFR63.1209(a)(2), Subpart EEE	96	1-88 Compliance Certification. Maintain all CEMS & COMS.	EU=K-ILNSG, Proc=KHF. All CEMS and COMS must be maintained in compliance with quality assurance standards.	Please delete references to COMS and PS-1; Norlite is not required to use COMS, and uses PS-4B for CEMS compliance.	DEC stated "Changed as requested" but it wasn't; it was moved to 1-88 AND a new CO CEMS condition inserted as well, 1-87. **Norlite reiterates its request to delete COMS condition since Norlite is not required to use COMS for compliance.**
40CFR63.1209(a)(3), Subpart EEE	97	1-89 Compliance Certification. CO CEMS - specific calculation requirements.	EU=K-ILNSG, Proc=KHF. CO CEMS: one minute avgs >3000 ppmv must be recorded as 10000 ppmv and used to calculate hourly rolling avgs; calib. drift <300 ppmv; calib error <500 ppmv.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.	Not changed. DEC notes "this is a library condition (monitoring format.)" **Norlite reiterates its request; please see cover letter, re: "Library Conditions".**
40CFR63.1209(a)(6), Subpart EEE	25	1-17 Calculation of rolling averages for CO & HC.	EU=K-ILNSG. One minute and one hour calc methods for CO and HC CEMS. During intermittent operating conditions previous time period data utilized.	L. Please include the remainder of paragraph 1209(a)(6)(iii) which appears to have been omitted; or simplify by citation only, since it is a library condition.	Missing contents added as requested, but changed applicability to entire Emission Unit K-ILNSG. **This condition only applies when burning hazardous waste, therefore, Norlite requests reference to Proc=KHF applicability be restored, to be process specific. Note, switch to non-hazardous fuel in process KAF is covered elsewhere. See cover letter re "Deletion of Processes in Process-Specific Conditions."**
40CFR63.1209(a)(7), Subpart EEE	98	1-90 Operating parameter limits for hydrocarbons.	EU=K-ILNSG, Proc=KHF. If CO is parameter for HC must demonstrate compliance during CPT. If DRE and HC tests not simultaneous most restrictive operating parameters apply.	L; NC	
40CFR63.1209(b)(1), Subpart EEE	99	1-91 Continuous monitoring systems for compliance with operating parameter limits.	EU=K-ILNSG, Proc=KHF. The facility must use continuous monitoring systems (CMS) such as thermocouples, pressure transducers, flow meters, etc. to document compliance with the applicable operating parameter limits under §63.1209.	L; NC	

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40CFR63.1209(b)(2)(i) , Subpart EEE	100	1-92 Compliance Certification. Yearly CMS calibrations.	EU=K-ILNSG, Proc=KHF. All CMS other than CEMS must follow manufacturer's recommendations. Calibrations at least once/year.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.	Not changed. DEC notes "this is a library condition (monitoring format.)" **This provision is labeled "compliance certification" and requires monitoring, reporting and certification. Please change to library condition. See cover letter re "Library Conditions."**
40CFR63.1209(b)(3), Subpart EEE	101	1-93 Sampling intervals for continuous monitoring systems.	EU=K-ILNSG, Proc=KHF. All CMS must sample the regulated parameter without interruption, and evaluate the detector response at least once each 15 seconds, and compute and record the average values at least every 60 seconds.	L; NC	
40CFR63.1209(b)(4), Subpart EEE	102	1-94 Continuous Monitoring Systems span limit.	EU=K-ILNSG, Proc=KHF. Span of non-CEMS CMS detector must not be exceeded and interlocked with AWFCO.	L; NC	
40CFR63.1209(b)(5), Subpart EEE	26	1-18 Calculation of rolling averages for continuous monitoring systems.	EU=K-ILNSG. One minute, 1hour and 12-hour calc methods for CMS. During intermittent operating conditions previous time period data utilized.	L; NC	Missing contents added as requested, but changed applicability to entire Emission Unit K-ILNSG. **This condition only applies when burning hazardous waste, therefore, Norlite requests reference to Proc=KHF applicability be restored, to be process specific. Note, switch to non-hazardous fuel in process KAF is covered elsewhere. See cover letter re "Deletion of Processes in Process-Specific Conditions."**
40CFR63.1209(c)(1), Subpart EEE	103	1-95 General feedstream anaylsis requirements.	EU=K-ILNSG, Proc=KHF. Prior to use, must obtain analysis of each feedstream to document compliance with the applicable feedrate limits.	L; NC	
40CFR63.1209(c)(2), Subpart EEE	104	1-96 Compliance Certification. Feedstream analysis plan.	EU=K-ILNSG, Proc=KHF. The facility must develop and implement a feedstream analysis plan and record it in the operating record.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.	Not changed. **This provision is labeled "compliance certification" and requires monitoring, reporting and certification. Please change to library condition. See cover letter re "Library Conditions."**
40CFR63.1209(c)(3), Subpart EEE	105	1-97 Compliance Certification. FAP submittal.	EU=K-ILNSG, Proc=KHF. The facility must submit the feedstream analysis plan to the Administrator for review and approval, if requested.	Please revise to a library condition, since it is a statement of fact. Norlite complies with this provision.	Not changed. **This provision is labeled "compliance certification" and requires monitoring, reporting and certification. Please change to library condition. See cover letter re "Library Conditions."**
40CFR63.1209(c)(4), Subpart EEE	106	1-98 Compliance Certification. Monitor feedrates.	EU=K-ILNSG, Proc=KHF. Must monitor and record feedrates. Must determine parameter values for feedstreams and multiply by mass feedrates.	L; NC	
40CFR63.1209(c)(5), Subpart EEE	107	1-99 Waiver of monitoring of constituents in certain feedstreams.	EU=K-ILNSG, Proc=KHF. Metals and chlorine in natural gas, process air, and feedstreams from vapor reovery systems.	L; NC	

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40CFR63.1209(d), Subpart EEE	108	1-100 Compliance Certification. QC program requirements.	EU=K-ILNSG, Proc=KHF. The facility must comply with the quality assurance procedures for CEMS prescribed in the appendix to Subpart EEE.	NC	
40CFR63.1209(e), Subpart EEE	109	1-101 Conduct of monitoring. §63.8(b) applicability.	EU=K-ILNSG, Proc=KHF. The provisions of §63.8(b) apply.	NC	
40CFR63.1209(f), Subpart EEE	110	1-102 Operation and maintenance of continuous monitoring systems. O&M plan exceptions to §63.8(c).	EU=K-ILNSG, Proc=KHF. Exceptions to §63.8(c)	NC	
40CFR63.1209(h), Subpart EEE	111	1-103 Reduction of monitoring data. §63.8(g) applicability.	EU=K-ILNSG, Proc=KHF. The provisions of §63.8(g) apply.	NC	
40CFR63.1209(i), Subpart EEE	112	1-104 Operating parameters subject to multiple standards. Most stringent limit from CPT may apply.	EU=K-ILNSG, Proc=KHF. If the performance tests for such standards are not performed simultaneously, the most stringent limit for a parameter derived from independent performance tests applies.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted; **1-95 deleted instead; Replaced with this new condition citing 1209(i) sections (j) - (p) by reference. No further comment.**
40CFR63.1209(j)(1), Subpart EEE	113	1-105 Compliance Certification. Minimum combustion chamber temperature.	EU=K-ILNSG, Proc=KHF. Combustion chamber temperature lower limit: 865 deg F.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted; changed value to 865 F per 08/26/04 NOC. **Please provide separate conditions for EP00001 & 00002; See cover letter, re: "EP-Specific Conditions". Also see cover letter re "Direct Citation from NOC."**
40CFR63.1209(j)(2), Subpart EEE	138	1-130 Compliance Certification. Maximum production rate.	EU=K-ILNSG, Proc=KHF, EP 00001. Maximum production rate as parameter for residence time. Upper Limit: 23.4 tons/hr.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. Made into two EP-specific conditions, changed value to 23.4 TPH per 08/26/04 NOC. Please **see cover letter, re: "Direct Citation from NOC".**
40CFR63.1209(j)(2), Subpart EEE	148	1-140 Compliance Certification. Maximum production rate.	EU=K-ILNSG, Proc=KHF, EP 00002. Maximum production rate as parameter for residence time. Upper Limit: 23.4 tons/hr.		New Condition Added for EP 00002 along with 1-130. **Please see cover letter, re: "Direct Citation from NOC".**
40CFR63.1209(j)(3), Subpart EEE	139	1-131 Compliance Certification. Maximum hazardous waste feedrate.	EU=K-ILNSG, Proc=KHF, EP 00001. Maximum hazardous waste feedrate as parameter for residence time. Upper Limit: 10.3 gal/min.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. Made into two EP-specific conditions, changed value to 10.3 GPH per 08/26/04 NOC. **Please see cover letter, re: "Direct Citation from NOC".**
40CFR63.1209(j)(3), Subpart EEE	149	1-141 Compliance Certification. Maximum hazardous waste feedrate.	EU=K-ILNSG, Proc=KHF, EP 00002. Maximum hazardous waste feedrate as parameter for residence time. Upper Limit: 10.3 gal/min.		New Condition Added for EP 00002 along with 1-131. **Please see cover letter, re: "Direct Citation from NOC".**
40CFR63.1209(j)(4), Subpart EEE	114	1-106 Compliance Certification. Must establish operating limits.	EU=K-ILNSG, Proc=KHF. Facility must establish hazardous waste firing limits and comply with them.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. However, parameter & value specified as 52 PSIG atomization pressure per 08/26/04 NOC. **Norlite requests separate conditions for EP00001 & 00002; See cover letter, re: "EP-Specific Conditions". Also see cover letter re "Direct Citation from NOC."**

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40CFR63.1209(k)(1), Subpart EEE	115	1-107 Compliance Certification. Maximum temperature of last combustion chamber.	EU=K-ILNSG, Proc=KHF. Dioxin/furan. Max. temperature at exit of last combustion chamber: 453 deg F.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. However, changed value to 453 F per 08/26/04 NOC. **Norlite requests separate conditions for EP00001 & 00002; See cover letter, re: "EP-Specific Conditions". Also see cover letter re "Direct Citation from NOC."**
40CFR63.1209(l)(1), Subpart EEE	140	1-132 Compliance Certification. Total Hg loading limit.	EU=K-ILNSG, Proc=KHF; EP 00001. Hg inlet loading limit. 0.005 lb/hr, 12-hr rolling avg., calc'd every minute.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. Made into two EP-specific conditions, changed value to .005 lb/hr inlet loading per 08/26/04 NOC. **Please see cover letter, re: "Direct Citation from NOC".**
40CFR63.1209(l)(1), Subpart EEE	150	1-142 Compliance Certification. Total Hg loading limit.	EU=K-ILNSG, Proc=KHF; EP 00002. Hg inlet loading limit. 0.005 lb/hr, 12-hr rolling avg., calc'd every minute.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	**New condition for EP00002 along with 1-132. Please see cover letter, re: "Direct Citation from NOC".**
40CFR63.1209(l)(2), Subpart EEE	116	1-108 Wet scrubber limits. Limit as determined in CPT.	EU=K-ILNSG, Proc=KHF. The facility must comply with the Hg emission standard by establishing and complying with the wet scrubber operating limit	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1. Norlite reiterates its request; covered by new Condition 1-104.	Not deleted. However, changed to most recent value on 8/26/04. **Norlite requests separate conditions for EP00001 & 00002; See cover letter, re: "EP-Specific Conditions".**
40CFR63.1209(m)(1)(i)(A), Subpart EEE	130	1-122 Compliance Certification. Pressure drop - wet scrubber, PM surrogate.	EU=K-ILNSG,Proc=KHF,ES=K1CT3. Particulate HAP. Pressure drop for high energy wet scrubbers. Lower limit: 2.9 in H2O. 1-hr rolling avg,	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. DP changed. **Norlite requests specific applicability to EP00001. See cover letter re "EP-Specific Conditions."**
40CFR63.1209(m)(1)(i)(A), Subpart EEE	131	1-123 (New) Adds Low-energy scrubber limit surrogsate for HAP; DP>3.75 in.	EU=K-ILNSG, Proc=KHF, ES K1CT4. The facility must comply with the HAP emission standard by establishing and complying with the wet scrubber operating limit		New Condition. **Norlite requests deletion; scrubber not identified as HAP control in CPT, therefore not regulated under Subpart EEE; see cover letter re "Non-Applicability of Conditions."**
40CFR63.1209(m)(1)(i)(A), Subpart EEE	133	1-125 Compliance Certification. Pressure drop - wet scrubber, PM surrogate.	EU=K-ILNSG,Proc=KHF,ES=K2CT3. Particulate HAP. Pressure drop for high energy wet scrubbers. Lower limit: 2.9 in H2O. 1-hr rolling avg,	D. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. **Norlite requests specific applicability to EP00002. See cover letter re "EP-Specific Conditions.".**
40CFR63.1209(m)(1)(i)(A), Subpart EEE	134	1-126 High-energy scrubber limit surrogate for HAP; DP> 3.75 in. H20.	EU=K-ILNSG, Proc=KHF, ES=K2CT4. The facility must comply with the particulate emission standard by establishing and complying with the high energy wet scrubber operating limit		New Condition. **Norlite requests deletion; scrubber not identified as HAP control in CPT, therefore not regulated under Subpart EEE; see cover letter re "Non-Applicability of Conditions."**
40CFR63.1209(m)(1)(i)(B), Subpart EEE	117	1-109 Adds scrubber parameters from 8/26/04 submittal, 43% tank liquid level, hourly rolling avg.	EU=K-ILNSG, Proc=KHF. The facility must comply with the particulate emission standard by establishing and complying with the wet scrubber operating limit		New Condition. **Norlite requests a correction: make Averaging Method "hourly average", not "minimum"; and provide separate conditions for EP00001 & 00002. See cover letter re "EP-Specific Conditions."**
40CFR63.1209(m)(1)(i)(B), Subpart EEE	118	1-110 Adds scrubber parameters from 8/26/04 submittal, 13.6 gpm blowdown rate, hourly rolling avge.	EU=K-ILNSG, Proc=KHF. The facility must comply with the particulate emission standard by establishing and complying with the wet scrubber operating limit		New Condition. **Norlite requests a correction: make Averaging Method "hourly average", not "minimum"; and provide separate conditions for EP00001 & 00002. See cover letter re and "Averaging Times."**

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40CFR63.1209(m)(1)(iv), Subpart EEE	129	1-121 Compliance Certification. Operating parameters for PM APCD.	EU=K-ILNSG, Proc=KHF Particulate HAP. Pressure change limits for PM control devices other than baghouses, ESPs or high energy or ionizing wet scrubbers. pressure change limits. Upper Limit: 10 in H2O; Lower Limit 0.5 in. H2O.	D. Please delete. Multiclone (Source/Control K1CT1) not subject to Subpart EEE.	Not deleted. **Norlite requests deletion; multi-clone not identified as HAP control in CPT, therefore not regulated under Subpart EEE; see cover letter re "Non-Applicability of Conditions."**
40CFR63.1209(m)(1)(iv), Subpart EEE	132	1-124 Compliance Certification. Pressure drop upper & lower limits on certain APCD.	EU=K-ILNSG,Proc=KHF Particulate HAP. Pressure change limits for PM control devices other than baghouses, ESPs or high energy or ionizing wet scrubbers. pressure change limits. Upper Limit: 10 in H2O; Lower Limit 0.5 in. H2O.	D. Please delete; the Multiclone (Source/Control= K2CT1) is not subject to Subpart EEE.	Not deleted. **Norlite requests deletion; multi-clonenot identified as HAP control in CPT, therefore not regulated under Subpart EEE; see cover letter re "Non-Applicability of Conditions."**
40CFR63.1209(n)(1), Subpart EEE	119	1-111 (New) - Adds baghouse inlet parameters from 8/26/04 submittal, 399 F.	EU=K-ILNSG, Proc=KHF. The facility must comply with the SVM/LVM emission standard by establishing and complying with the new operating limit		New Condition. **Norlite requests separate conditions for EP00001 & 00002; See cover letter re "EP-Specific Conditions."**
40CFR63.1209(n)(2)(i) , Subpart EEE	142	1-134 Compliance Certification. Cd and Pb combined upper limit.	EU=K-ILNSG, Proc=KHF EP 00001. Cd and Pb combined parameter upper limit: 5.89 lb/hr, 12-hr rolling avg. all feedstreams.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. Made into two EP-specific conditions, changed value to 5.89 lb/hr inlet loading per 08/26/04 NOC. **Norlite requests a correction: Averaging Method should read "calculated each minute," not "EA. HR." Please delete all subparagraphs other than the appropriate one. See cover letter.**
40CFR63.1209(n)(2)(i) , Subpart EEE	143	1-135 (New) Adds feed rate for combined LVM/SVM emission standards, 4.71 lb/hr.	EU=K-ILNSG, Proc=KHF EP 00001. The facility must comply with the SVM/LVM emission standard by establishing and complying with the new operating limit	Citation is correct but not complete [see 1209(n)(2)(i)(c)], language in permit condition is incorrect. Please see cover letter.	New Condition. **Standard is not correct; 4.71 lb/hr applies to LVM (As, Be & Cr), pumpable only. Also, Averaging Method should read "calculated each minute," not "EA. HR." Please delete all subparagraphs other than the appropriate one. See cover letter re "Averaging Times.".**
40CFR63.1209(n)(2)(i) , Subpart EEE	152	1-144 (New) Compliance Certification. Cd and Pb combined upper limit.	EU=K-ILNSG, Proc=KHF EP 00002. Cd and Pb combined parameter upper limit: 5.89 lb/hr, 12-hr rolling avg. all feedstreams.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Duplicate of 1-134 for Kiln 2. Made into two EP-specific conditions, changed value to 5.89 lb/hr inlet loading on 08/26/04. **Norlite requests a correction: Averaging Method should read "calculated each minute," not "EA. HR." Please delete all subparagraphs other than the appropriate one. See cover letter re "Averaging Times."**
40CFR63.1209(n)(2)(i) , Subpart EEE	153	1-145 (New) Adds feed rate for combined LVM/SVM emission standards, 4.71 lb/hr.	EU=K-ILNSG, Proc=KHF EP 00002. The facility must comply with the SVM/LVM emission standard by establishing and complying with the new operating limit	Citation is correct but not complete [see 1209(n)(2)(i)(c)], language in permit condition is incorrect. Please see cover letter.	Duplicate of 1-135 for Kiln 2. **Norlite requests a correction: 4.71 lb/hr applies to LVM (As, Be & Cr), pumpable only. Also, Averaging Method should read "calculated each minute," not "EA. HR." Please delete all subparagraphs other than the appropriate one. See cover letter re "Averaging Times."**

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40CFR63.1209(n)(2)(i), Subpart EEE	141	1-133 Compliance Certification. As, Be, Cr combined upper limit.	EU=K-ILNSG, Proc=KHF EP 00001. As, Be, and Cr combined parameter upper limit: 5.44 lb/hr, 12-hr rolling avgerage all feedstreams.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. However, changed value to 5.44 lb/hr inlet loading per 08/26/04 NOC. **Norlite requests a correction: Averaging Method should read "calculated each minute," not "EA. HR." See cover letter re "Averaging Times."**
40CFR63.1209(n)(2)(i), Subpart EEE	151	1-143 (New) Compliance Certification. As, Be, Cr combined upper limit.	EU=K-ILNSG, Proc=KHF EP 00002. As, Be, and Cr combined parameter upper limit: 5.44 lb/hr, 12-hr rolling avgerage all feedstreams.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Duplicate of 1-133 for Kiln 2. Made into two EP-specific conditions, changed value to 5.44 lb/hr inlet loading per 08/26/04 NOC. **Norlite requests a correction: Averaging Method should read "calculated each minute," not "EA. HR." See cover letter re "Averaging Times."**
40CFR63.1209(n)(2)(ii) , Subpart EEE	120	1-112 Feedrate extrapolation for maxium feedrate of semi- and low volatile metals.	EU=K-ILNSG, Proc=KHF. May request as part of CPT to use feedrates and associated emission rates during test to establish higher limits and rates.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. (optional condition) **No further comment.**
40CFR63.1209(n)(4), Subpart EEE	144	1-136 Compliance Certification. Chlorine & chloride upper limit.	EU=K-ILNSG, Proc=KHF; EP 00001. Chlorine and chloride inlet loading upper limit: 51.6 lb/hr for all feedstreams. 12-hr rolling avg. calc'd every hr.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. Made into two EP-specific conditions, changed value to 51.6 lb/hr inlet loading per 8/26/04 NOC. **Norlite requests a correction: Averaging Method should read "calculated each minute," not "EA. HR." See cover letter re "Averaging Times."**
40CFR63.1209(n)(4), Subpart EEE ; (in lieu of 1209(o)(1) citation?)	154	1-146 (New)Compliance Certification. Chlorine & chloride upper limit.	EU=K-ILNSG, Proc=KHF; EP 00002. Chlorine and chloride inlet loading upper limit: 51.6 lb/hr for all feedstreams. 12-hr rolling avg. calc'd every hr.		Duplicate of 1-136. Made into two EP-specific conditions. **Norlite requests a correction: Averaging Method should read "calculated each minute," not "EA. HR." See cover letter re "Averaging Times.".**
40CFR63.1209(o)(3)(iv), Subpart EEE	121	1-113 (New) Compliance Certification; pH > 8.0 as surrogate for Chlorine & chloride upper limit.	EU=K-ILNSG, Proc=KHF. Chlorine (organic and inorganic) general condition		Two new citations/conditions. based on use of scrubber parameters vs. inlet feed rate. **Norlite requests EP-specific conditions by specifying EP00001 and EP00002. See cover letter re "EP-Specific Conditions."**
40CFR63.1209(o)(3)(v), Subpart EEE	122	1-114 (New) Compliance Certification; LIQUID/GAS VOLUMETRIC FLOW RATE RATIO as surogate for chlorine & chloride. Lower Permit Limit: 4.0 gallons per 1000 wet standard cubic foot.	EU=K-ILNSG, Proc=KHF. Chlorine (organic and inorganic) general condition		Two new citations/conditions. based on use of scrubber parameters vs. inlet feed rate. **Norlite requests EP-specific conditions by specifying EP00001 and EP00002. See cover letter re "EP-Specific Conditions."**
40CFR63.1209(p), Subpart EEE	123	1-115 Compliance Certification. Pressure upper limit - combustion system.	EU=K-ILNSG, Proc=KHF. Combustion system leaks. Pressure Upper Limit: 0 in H_2O.	L. Please delete; see cover letter with reference to: Condition 1-95; the NOC; and Table 1.	Not deleted. Value remained unchanged per 08/26/04 NOC. **Norlite requests EP-specific conditions by specifying EP00001 and EP00002. See cover letter re "EP-Specific Conditions."**
40CFR63.1209(q)(1), Subpart EEE	28	1-20 Operations when residence time has expired.	EU: K- ILNSG; Transition to other mode in 1-26 after LGF residence time has expired	L; Please Apply to Emission Unit overall, so that processes KAF and KHF are both addressed (Delete 1-166). Also see cover letter.	Changed as requested. **No further comment.**

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40CFR63.1209(q)(2), Subpart EEE	29	1-21 Calculating rolling averages under different modes of operation.	EU: K- ILNSG; Offers methods of calculation of CO, other parameters for 1-26, 1-27 above	L; Please Apply to Emission Unit overall, so that processes KAF and KHF are both addressed (Delete 1-167). Also see cover letter.	Changed as requested. **No further comment.**
40CFR63.1209(q), Subpart EEE	27	1-19 Operations under different modes of operation - must specify limits & conditions.	EU: K- ILNSG; Requires development of alternate limits if operating outside of current specifications; e.g.use of new fuel or production methods.	L; Please Apply to Emission Unit overall, so that processes KAF and KHF are both addressed (Delete 1-165). Also see cover letter.	Changed as requested. **No further comment.**
40CFR63.1210, Subpart EEE	124	1-116 Initial notification that the permittee is subject to subpart EEE.	EU=K-ILNSG, Proc=KHF. Notify NYSDEC by 1/30/2000 or within 120 days after becoming subject to Subpart EEE.	D. Please delete; one time notification has been filed.	This was removed as requested, but by doing so it generated an error, because it is a mandatory condition, therefore it must remain in the permit. **No further comment.**
40CFR63.1210, Subpart EEE	125	1-117 Compliance Certification. Notification requirements.	EU=K-ILNSG, Proc=KHF. Reiterates the applicable notification requirements of 1210 covered elsewhere.	Please delete or retain as a library condition; these parameters covered in detail elsewhere, and the condition is too broad to certify to..	Not changed. **Norlite reiterates its request to delete; See cover letter re: "Overly Broad References".**
40CFR63.1211(b), Subpart EEE	128	1-120 Compliance Certification. Detailed recordkeeping.	EU=K-ILNSG, Proc=KHF. Detailed recordkeeping requirements.	Please revise to a library condition; these parameters covered in detail elsewhere, and the condition is too broad to certify to..	Not deleted. This is a library condition. **This provision is labeled "compliance certification" and requires monitoring, reporting and certification. Please change to library condition. See cover letter re "Library Conditions."**
40CFR63.1211, Subpart EEE	126	1-118 Compliance Certification. Recordkeeping and reporting requirements.	EU=K-ILNSG, Proc=KHF. Reiterates the the applicable recordkeeping and reporting requirements of 1211.	Please revise to a library condition; these parameters covered in detail elsewhere, and the condition is too broad to certify to.	Not changed. **Norlite reiterates its request to delete; See cover letter re: "Overly Broad References".**
40CFR63.1211, Subpart EEE	127	1-119 Compliance Certification. 10-exceedance reporting.	EU=K-ILNSG, Proc=KHF. Written report required for each set of 10 exceedences of emission standards of operating req'ts within 60 day period. Due 5 days after 10th exceedence.	Please delete; duplicates previous condition.	Not deleted. But corrected spelling, punctuation. **Norlite reiterates its request; the citation in this condition is addressed by Condition 1-57, which is a direct citation of the referenced regulation, 40CFR63.1206 (c)(3)(vi). Other conditions also refer to same cite; these are redundant.**
40CFR63.4, Subpart A	15	37 Prohibitions – Must meet Part 63 even if not in permit	The facility is required to comply with Part 63 requirements regardless of whether those requirements have been included in a Title V	NC	
40CFR63.680, Subpart DD	179	1-171 General Provisions Applicability	Relationship of 40CFR63 Subpart DD to 40CFR63 Subpart A. Details of subdivisions in Subpart A overridden by Subpart DD. Mostly general conditions.	L; NC	
40CFR63.683(b)(1), Subpart DD	180	1-172 Compliance Certification	EU: M-ISCES. Control of HAPs in off-site material management unit unless determine VOHAP concentration < 500ppmv. (VOHAP= Subpart DD Table 1 List)	L; NC	

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40CFR63.683(b)(2)(v), Subpart DD	198	1-190 Compliance Certification - Offers Norlite the opportunity to be exempt from certain conditions of 40CFR 63.683 IF comply with FF, Benzene NESHAP, and meet other criteria.	EU: S-TANKS Process: HFT		No comment on this provision **However please note amendment of Conditions 46.11, .12 requested to add additional tanks. See cover letter re "Condition 46."**
40CFR63.683(d), Subpart DD	181	1-173 Compliance Certification. Text taken from 680(c)(3) "applicability" and 683(d)	EU: M-ISCES. Control of HAPs from equipment leaks per 40CFR63.691; allows use of 40CFR61 Subpart V or 40CFR63 Subpart H - HON	Please revise to be a library condition, since it is a statement of fact; Norlite complies, and demonstrates this through recordkeeping requirements in other provisions within this permit.	Not changed. **Norlite reiterates its request; please see cover letter re "Library Conditions".**
40CFR63.688, Subpart DD	182	1-174 Standards - containers with a capacity > 121.52 gallons and in light material service	Level 2 controls - Must meet one of: (1) DOT specs; (2) no detectable organic emissions; (3) demonstrated vapor tight; (4) transfer procedures; (5) inspection.	L; Please cite specifically to 40 CFR 63.688(b)(3).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR63.688, Subpart DD	183	1-175 Standards - containers with a capacity > 26.4 gal.and < 121.52 gal. or containers with a capacity > 121.52 gal. and not in light-material service.	Level 1 controls - meets one of: (1) DOT specs; (2) continuous barrier over openings; (3) open-top with vapor suppressing barrier;	L; Please cite specifically to 40 CFR 63.688(b)(1) & (2); note also that compliance may be met via Subpart PP Level 2 Controls (permit does not acknowledge this).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity"; and add text, re alternate use of Level 2 Controls.**
40CFR63.689(c), Subpart DD	184	1-176 Compliance Certification. (Offers (c) (1) - (3) as options. This is (2).)	EU: M-ISCES. Material **transfer system** hard piping shall be sealed permanently (welded) or semi-permeanently (bolted/gasketed flange).	L; Please revise to a library condition, since it is a statement of fact; Norlite complies, and retains design records.	This is a library condition. **Norlite reiterates its request; while DEC notes this as a library condition, it is identified as a "compliance certification" and requires monitoring, reporting and certification. Please see cover letter re "Library Conditions."**
40CFR63.691, Subpart DD	185	1-177 Equipment leak standards - Subpart V option	EU: M-ISCES. HAPs from equipment leaks controlled per 40CFR61.242-247.	L; NC	
40CFR63.693(b), Subpart DD	186	1-178 Compliance Certification. Cite 693(b)(4)(i); "Closed Vent System" (CVS) is the separate gas venting system to the kiln(s) from OMMUs	EU: M-ISCES. Annual inspections of **closed-vent systems** per 695(c); OR 63.172(f) - (h) HON rule. Offers options.	D - Please delete, since it is redundant to 1-223.	DEC: "Not changed.This condition is not an exact duplicate of 1-223." **Norlite reiterates its request for deletion, since the condition adds nothing to the reference action executed in 1-223 (now 1-186)**
40CFR63.693(c), Subpart DD	187	1-179 Compliance Certification. The vent stream to be controlled shall be conveyed to the control device by either of two closed-vent systems.	EU: M-ISCES. **Closed vent system** for no detectable emissions **or** to operate at negative pressure. Upper Limit: 14.7psi.	Please delete all but 1st paragraph in "Monitoring Description" and make it a library condition; Norlite does not use the 2nd option and the limits (i.e parameter, upper limit, frequency, averaging) are not appropriate to the first option. Please cite specifically to 40 CFR 63. 693(c)(1)(i),(ii).	Changed as requested; however citation is per AFS. **Norlite reiterates its request for a more specific citation, and that condition be made a library condition. Please see cover letter re "Citation Specific and Library Condition."**
40CFR63.693(d), Subpart DD	188	1-180 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Nonregenerable carbon canister regularly scheduled replacement options.	Please cite specifically to 40 CFR 63.693(d)(2)(B).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**

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L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change					
40CFR63.693(d), Subpart DD	189	1-181 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Nonregenerable carbon canister monitoring. Upper limit: 500ppmv. Daily or at 20% of capacity; or change "frequently" based on 1-218 .	Please delete "Carbon Black" as process material and replace with "carbon;" alternatively this may be identified as intermttent testing or recordkeeping. Please cite specifically to 40 CFR 63.693(d)(4)(iii).	Not changed. **Norlite reiterates its request to delete "Black", leaving process material correctly as "carbon" or change to "Activated Carbon". Norlite also reiterates its request re making the citation more specific; please see cover letter re "Citation Specificity."**
40CFR63.693(d), Subpart DD	190	1-182 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Nonregenerable control device carbon regularly scheduled replacement based on test or design; summarizes 693(d)(2) and (d)(2)(ii)B)	If condition retained please cite specifically to 40 CFR 63.693(d)(2)(ii)(B).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR63.693(d), Subpart DD	191	1-183 Compliance Certification. Alternative carbon procedures.	EU: M-ISCES. Non regenerable carbon adsorption sytem performance test demonstration.	Please cite specifically to 40 CFR 63.693(d)(2)(i).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR63.693(d), Subpart DD.	192	1-184 Compliance Certification. Carbon performance specification.	EU: M-ISCES. Intermittent emission testing. Carbon adsorption sytem performance specification: =>95% TOC or =>95% total HAP.	Please revise to be a library condition, as it specifies the performance standard to be demonstrated via Conditions 1-218 or 1-219. Please cite specifically to 40 CFR 63.693(d) (1).	Not changed. This is a library condition. **Norlite reiterates its requests; while DEC notes this as a library condition, it is identified as a "compliance certification" and requires monitoring, reporting and certification. Please see cover letter re: "Citation Specificity" snd "Library Conditions".**
40CFR63.695(c), Subpart DD	193	1-185 Compliance Certification - "no-leak system" provision.	EU: M-ISCES. CVS components or connections (other than permanent or semi-permanent) - no detectable organic emissions. Monitor & inspect once/yr.	Please cite specifically to 40 CFR 63.695(c)(1)(ii)(B) .	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR63.695(c), Subpart DD	194	1-186 Compliance Certification - "no-leak system" provision.	EU: M-ISCES. All CVS connections permanently or semi-permanently sealed visually inspected once/yr. No detectable organic emissions must be demonstrated for any repairs.	Please cite specifically to 40 CFR 63.695(c)(1)(ii)(A).	Not changed. **Norlite reiterates its request; please see cover letter re: "Citation Specificity".**
40CFR63.696, Subpart DD	195	1-187 Compliance Certification.	EU: M-ISCES. Recordkeeping requirements per 40CFR63.696.	NC	
40CFR63.697, Subpart DD	196	1-188. Compliance Certification.	EU: M-ISCES. Reporting requirements per 40CFR63.697.	Citation to 40 CFR 63.696 is incorrect. Please revise citation to 40 CFR 63.697.	Changed as requested. **No further comment.**
40CFR63.926(a), Subpart PP	197	1-189 Inspection and monitoring procedures for Container Level 1 and 2 controls	Containers visually inspected before acceptance, if not emptied within 24 hrs. Containers remaining at facility must be visually inspected annually.	NC	
40CFR68	14	1-11 Accidental release provisions.	If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in quantities greater than the threshold quantity, RMP applies.	Please revise to a non-applicability statement - Norlite has no units subject to this provision.	This is a mandatory condition written by central office and cannot be changed by regional staff. However, a new version of this condition was fielded 07/30/04. **No further comment.**

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6NYCRR201-1.4	200	130 Unavoidable noncompliance and violations - SSM Plan	Start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. Recordkeeping and reporting requirements.	NC	Moved by DEC Now under "State Only Enforceable Conditions" per NYPIRG lawsuit. **No further comment.**
6NYCRR201-6	1	23 Emission Unit Definition - Describes Emissions units and function.	General requirement of all T5 permits.	NC	
6NYCRR201-6	18	45 Emission Point Definition By Emission Unit	General requirement of all T5 permits.	NC	
6NYCRR201-6	19	46 Process Definition By Emission Unit	General requirement of all T5 permits.	Please amend Item 46.8 as specified in the cover letter.	DEC:There is no reference to 46.8 in cover letter. **See new discussion. Change Item 46.1 to 7 from 6 days/wk operation; Add 5 tanks to STANKS; See cover letter re "Condition 46" for details on these and other requested changes.**
6NYCRR201-6.5(c)	2	1-1 Recordkeeping - information that must be included in any required compliance monitoring records and reports, format of reports	General requirement of all T5 permits.	NC	
6NYCRR201-6.5(c)(2)	3	1-2 Monitoring, Recordkeeping, and Reporting -general 5 year retention policy, records to be kept.	General requirement of all T5 permits.	NC	
6NYCRR201-6.5(c)(3)(ii)	4	1-3 Compliance Cert - Semi-Ann monitor report.	General requirement of all T5 permits.	NC	
6NYCRR201-6.5(e)	5	1-4 Compliance Cert - Annual compliance certification	General requirement of all T5 permits.	NC	
6NYCRR201-7	204	1-194 Capping Monitoring; imposes 201-7 conditions if HAPs in OMMUs "capped".	EU: S-TANKS Process: HWT; Allows optional capping for certain Haz Waste constituents in tanks (i.e., <1 Mg/yr)	NC	New. **No comment.**
6NYCRR202-2.1	6	29 Compliance Cert - Annual Emission Statement	General requirement of all T5 permits.	NC	
6NYCRR202-2.5	7	30 5- year recordkeeping requirements for emission statements	General requirement of all T5 permits.	NC	
6NYCRR211.2	201	134 Air pollution prohibited	General duty clause. General requirement of all T5 permits.	NC	Now under "State Only Enforceable Conditions". **No comment.**
6NYCRR211.2	202	1-192 - Fugitive Dust Plan - STATE ONLY	The facility shall comply with: the Fugitive Dust Control Plan (FDCP) revisions identified in Sci-Tech, Inc.'s December 14, 2001 report of evaluation of the 1995 FDCP in conjunction with the existing 1995 FDCP		New. **Norlite objects in principle at inclusion of the fugitive dust plan; See cover letter. Fugitive dust plan should stand on its own.**
6NYCRR212.10(c)	137	1-129 Compliance Certification - NOx emission limit.	EU: K-ILNSG, EP00001. Intermittent emission testing. NOx Upper Limit: 61 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.	DEC response: Deleted 1-168 *and* 1-173 (but not 169 - 172, 174 & 175.) Norlite requested deletion of 168 *through* 175. **Norlite reiterates its request for deletion of 169 - 172, 174 & 175 (now 127-129, 137-139). See cover letter re "Hazardous Waste Permit."**

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6NYCRR212.10©	147	1-139 Compliance Certification - NOx emission limit.	EU: K-ILNSG, EP00002. Intermittent emission testing. NOx Upper Limit: 61 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.	DEC response: Deleted 1-168 *and* 1-173 (but not 169 - 172, 174 & 175.) Norlite requested deletion of 168 *through* 175. **Norlite reiterates its request for deletion of 169 - 172, 174 & 175 (now 127-129, 137-139). See cover letter re "Hazardous Waste Permit."**
6NYCRR212.3(a)	203	1-193 - Limits for Ni, Ag, Ba, Tl, Cu, Zn, CrO_3, Sb, Se - STATE ONLY	EU: K-ILNSG, Proc=KHF; Degree of air cleaning specified by the commissioner equal the Part 373 permit limits.		**New. This is another air permit condition invoking Part 373. No comment at this time.**
6NYCRR212.3(b)	135	1-127 Compliance Certification - SO2 emission limit.	EU: K-ILNSG, EP00001. Intermittent emission testing. SO2 Upper Limit: 30 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.	DEC response: Deleted 1-168 *and* 1-173 (but not 169 - 172, 174 & 175.) Norlite requested deletion of 168 *through* 175. **Norlite reiterates its request for deletion of 169 - 172, 174 & 175 (now 127-129, 137-139). See cover letter re "Hazardous Waste Permit."**
6NYCRR212.3(b)	145	1-137 Compliance Certification - SO2 emission limit.	EU: K-ILNSG, EP00002. Intermittent emission testing SO2 Upper Limit: 30 lb/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.	DEC response: Deleted 1-168 *and* 1-173 (but not 169 - 172, 174 & 175.) Norlite requested deletion of 168 *through* 175. **Norlite reiterates its request for deletion of 169 - 172, 174 & 175 (now 127-129, 137-139). See cover letter re "Hazardous Waste Permit."**
6NYCRR212.4(b)	136	1-128 Compliance Certification - total BTU firing limit.	EU: K-ILNSG, EP00001. Waste/fuel firing rate shall not exceed 62 mmBTU/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.	DEC response: Deleted 1-168 *and* 1-173 (but not 169 - 172, 174 & 175.) Norlite requested deletion of 168 *through* 175. **Norlite reiterates its request for deletion of 169 - 172, 174 & 175 (now 127-129, 137-139). See cover letter re "Hazardous Waste Permit." Also, DEC has no basis under Part 212 to limit waste fuel firing rate. Part 212 addresses only establishment of emission limits**
6NYCRR212.4(b)	146	1-138 Compliance Certification - total BTU firing limit.	EU: K-ILNSG, EP00002. Waste/fuel firing rate shall not exceed 62 mmBTU/hr.	Please see cover letter - Limit derived from Part 373 Permit, which is independent of the Title V permit.	DEC response: Deleted 1-168 *and* 1-173 (but not 169 - 172, 174 & 175.) Norlite requested deletion of 168 *through* 175. **Norlite reiterates its request for deletion of 169 - 172, 174 & 175 (now 127-129, 137-139). See cover letter re "Hazardous Waste Permit." Also, DEC has no basis under Part 212 to limit waste fuel firing rate. Part 212 addresses only establishment of emission limits**
6NYCRR212.4(c)	155	1-147 Compliance Certification - PM emission limit, VE-based.	EU: K-ILNSG, EP0003A. Emissions of solid particulates are limited to less than 0.050 gr/dscf.; Intermittent emission testing for VE once/day (similar to Method 22) if stack test not specified.	Please see cover letter; revise to separate PM and VE; opacity is not a surrogate for PM.	Changed as requested. **No further comment.**

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L=Library Condition or Statement of Fact; List citation only or Delete; D=Deletion Requested, not applicable or option not desired; NC=No Change					
6NYCRR212.4(c)	157	1-149 Compliance Certification - PM emission limit, VE-based.	EU: K-ILNSG, EP0003B. Emissions of solid particulates are limited to less than 0.050 gr/dscf.; Intermittent emission testing for VE once/day (similar to Method 22) if stack test not specified.	Please see cover letter; revise to separate PM and VE; opacity is not a surrogate for PM.	Changed as requested. **No further comment.**
6NYCRR212.5(e)	37	1-29 - New Limit for NESHAPS Metals Pb, Hg, Cd, Cr, Be, Cl, HCl, As; Part 212 Tables "air cleaning specified by the commissioner" = the NESHAP limits.	EU: K-ILNSG, Proc: KHF; A source subject to a Federal NESHAP in 40 CFR 61 satisfies Part 212 if it complies with the NESHAP (40 CFR 63 EEE)		New. **No comment.**
6NYCRR212.5(e)	38	1-30 - New Limit for NESHAPS - PM; Part 212 Tables "air cleaning specified by the commissioner" = the NESHAP limits.	EU: K-ILNSG, Proc: KHF; A source subject to a Federal NESHAP in 40 CFR 61 satisfies Part 212 if it complies with the NESHAP (40 CFR 63 EEE)		New. **Please remove calculations from the permit monitoring description; they are informative but not required in the permit.**
6NYCRR212.6(a)	20	1-12 Compliance Cert, if VE "Abnormal" do Opacity - 20% limit	EU=C-RUSHS: Perform Method 9 if abnormal VE.		Replaced with new library condition. **Please revise wording to "perform a Method 9 and notify DEC if non-compliant." See cover letter re "Opacity" for example.**
6NYCRR212.6(a)	156	1-148 Compliance Cert, if VE "Abnormal" do Opacity - 20% limit	EU: K-ILNSG, EP0003A.		New. **Please revise wording to "perform a Method 9 and notify DEC if non-compliant." See cover letter re "Opacity" for example.**
6NYCRR212.6(a)	158	1-150 Compliance Cert, if VE "Abnormal" do Opacity - 20% limit	EU: K-ILNSG, EP0003B.		New. **Please revise wording to "perform a Method 9 and notify DEC if non-compliant." See cover letter re "Opacity" for example.**
6NYCRR212.6(a)	159	1-151 Compliance Certification	EU: M-ISCES. No VE above normal (which may be zero).	Please see cover letter; revise consistent with Cond.1-15	Replaced with new library condition. **Please revise wording to "perform a Method 9 and notify DEC if non-compliant." See cover letter, example.**
6NYCRR225-1.2(a)(2)	8	1-5 Compliance Cert - Distillate oil sulfur limit 1.5%. Retain sulfur certifications.	Requirement for any facility burning distillate oil.	NC	
6NYCRR225-1.2(a)(2)	9	1-6 Compliance Cert - Residual oil sulfur limit. Retain sulfur certifications.	Requirement for any facility burning distillate oil.	NC	
6NYCRR225-2.3(b)(3)	30	1-22 Compliance Cert - combustion efficiency limit	EU: K-ILNSG, Proc: KAF. 99% Via Siemens/CISCO Ultramat 5E	D - Please delete - Continuous CO/ O2 monitor provides surrogate monitoring; DRE as defined by the CPTadequately demonstrates combustion efficiency, and is limited elsewhere in the permit.	Not changed. **Norlite reiterates its requests to delete this condition, since DRE is adequately addressed elsewhere. If this condition remains, please remove the instrument name and model, since it is not necessary for compliance certification and will complicate equipment replacement (See comments below, Condition 1-23.)**

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6NYCRR225-2.3(b)(3)	31	1-23 Compliance Cert - CO Upper limit	EU: K-ILNSG, Proc: KAF. 500 ppm Via Siemens/ CISCO Ultramat 5E	Please delete instrument brand & model, to allow unit replacement without Title V modification.	Not changed. **Norlite reiterates its request. The brand and model name are unnecessary for compliance certification purposes and will complicate the process of replacing equipment. Norlite will be forced to modify its permit if it replaces its current equipment with one of a different instrument name and number.**
6NYCRR225-2.4(a)(2)	32	1-24 Compliance Cert - Waste Fuel A, Halogens limit	EU: K-ILNSG, Proc: KAF. 1000 ppm Max - Retain fuel analyses per load – 5 yr	NC	
6NYCRR225-2.4(a)(2)	33	1-25 Compliance Certification - Waste Fuel A Chem waste limit	EU: K-ILNSG, Proc: KAF. Waste Fuel A must meet the definition specified in Part 225-2.2(b)(9). Specifically, the fuel shall contain no chemical waste.	Please delete, or make a library condition; 225-2.4(a)(2) requires submittal of "fuel analyses representative of the waste fuel to be burned and acceptable to the commissioner"; "Chem waste" is not defined, and no limit or method are identified to determine compliance.	Added definition of "chemical waste" from Part 225-2. **No further comment on this condition. However, the specific types of non-hazardous waste do not appear in the emissions unit and process/source descritptions. Please add into Conditions 23, 46; see cover letter.**
6NYCRR225-2.4(a)(2)	34	1-26 Compliance Cert - Waste Fuel A, PCB limit	EU: K-ILNSG, Proc: KAF. 50 ppm Max - Retain fuel analyses per load – 5 yr	NC	
6NYCRR225-2.4(a)(2)	35	1-27 Compliance Cert - Waste Fuel A Pb limit	EU: K-ILNSG, Proc: KAF. 250 ppm Max - Retain fuel analyses per load – 5 yr	NC	
6NYCRR225-2.4(a)(2)	36	1-28 Compliance Certification - Waste Fuel A, Heat Content limit	EU: K-ILNSG, Proc: KAF. 125000 Btu Min -Retain fuel analyses per load – 5 yr	NC	
6NYCRR225-2.7(d)	12	1-7 Availability of records for Department inspection.	General requirement of all T5 permits.	NC	
ECL 19-0301	199	1-191 Contaminant List	The listed contaminants are subject to contaminant specific requirements in the permit (emission limits, control requirements or compliance monitoring).	NC	**New list; Please delete Chromic Acid, Ni Metal & Insoluble Compunds and Hydrocarbons C1-4. Not regulated under any specific paragraphs of EEE or 212.**

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October 24, 2008

VIA E-MAIL AND REGULAR MAIL

William J. Clarke
Division of Air Permits
NYSDEC Region 4
1130 North Westcott Road
Schenectady, NY 12306

RE: Norlite Corporation, Title V permit
DEC ID # 4-0103-00016/00048

Dear Mr. Clarke:

I am submitting these comments on behalf of Norlite Corporation (Norlite) concerning the draft modification to the Norlite facility's Title V air permit, which was made available for comment in the September 24, 2008 Environmental Notice Bulletin.

It is our understanding that this draft permit is based on a draft developed by Bruce O'Neill in summer 2006. Unfortunately, several developments have occurred that necessitate additional changes to the permit. On August 25, 2004, Norlite submitted to the New York State Department of Environmental Conservation (NYSDEC) a Notice of Compliance and comprehensive performance test (CPT) report for both lightweight aggregate kilns. The CPT established operating parameters for the kiln (EU K-ILNSG). This performance test was conducted in accordance with both the Part 373 regulations and 40 CFR Part 63, subpart EEE, the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Hazardous Waste Combustors. During the next two years, Norlite and NYSDEC staff negotiated concerning the Notice of Compliance, with the last written communication between the parties occurring in December 2006. Norlite accepted the revised hazardous waste permit from NYSDEC in 2008, which was based on the 2004 CPT. As set forth below, certain parameters contained in the Title V permit must be revised to reflect the results of the CPT and so ensure consistency between the facility's hazardous waste and air permits. Also, various conditions in the permit must be added or revised to reflect changes to the Subpart EEE regulations that are not included in the draft

Title V permit. Finally, the permit must be revised to include Waste Fuel B among the types of fuel burned by the facility. These and other issues concerning the draft Title V permit are summarized below. The comments are organized into four sections: (1) changes to performance criteria (required to incorporate the results of the recent CPT); (2) changes necessitated by recent revisions to 40 CFR Part 63, subpart EEE; (3) changes to incorporate Waste Fuel B and clarify kiln-related processes; and (4) other comments.

Section 1: Changes to Performance Criteria (required to incorporate results of performance test results submitted on August 25, 2004)

The chart below summarizes the changes to various permit conditions relating to EU K-ILNSG that must be made to incorporate the results of the August 25, 2004 performance test conducted in accordance with the requirements of the hazardous waste and NESHAP programs. The "New Permit Limit" column represents the new limits that must be included in the permit (in place of the existing limits). No change is indicated as NC.

PC No.	Parameter Monitored	Limit
1-121	DRE: Temperature (minimum combustion chamber temperatur)	866 degrees F
1-122	DRE: Pressure (minimum LLGF atomization pressure)	NC
1-123	Dioxin/furan: Temperature (maximum temperature of gas at exit of last combustion chamber)	NC
1-125	Particulate matter: Volume (minimum scrubber tank volume or liquid level)	NC
1-126	Particulate matter: Volumetric flow rate (minimum scrubber tank volume or liquid level)	15.0 gpm
1-127	Semivolatile and low volatility metals: Temperature (maximum inlet temperature to control device)	NC
1-129	Hydrogen chloride/chlorine gas: Minimum pH	NC
1-130	Hydrogen chloride/chlorine gas: Liquid/gas volumetric flow rate ratio	NC
1-131	Dry scrubber: Volumetric flow rate (minimum sorbent feedrate)	NC
1-132	Dry scrubber: Volumetric flow rate (minimum carrier fluid (gas or liquid) flowrate)	NC
1-134	Combustion system leaks: Pressure (maximum combustion chamber zone pressure)	NC
1-146	DRE: Volumetric flow rate (maximum flue gas flow rate as indicator of gas residence time)	NC
1-147	DRE: Volumetric flow rate (maximum pumpable and total hazardous waste feedrate)	NC
1-148	Mercury: Inlet loading (maximum feedrate total	0.0104 lb/hr

	mercury)	
1-149	Semivolatile metals: Inlet loading (maximum feedrate)	6.72 lb/hr
1-150	Low volatility metals: Inlet loading (maximum feedrate)	9.57 lb/hr
1-151	Semivolatile and low volatility metals: Inlet loading (maximum feedrate; either pumpable only or dual feedrate limits)	6.20 lb/hr
1-152	Total chlorine/chloride: Inlet loading (maximum feedrate)	115 lb/hr
1-155	DRE: Volumetric flow rate (maximum flue gas flow rate as indicator of gas residence time)	NC
1-156	DRE: Volumetric flow rate (maximum pumpable and total hazardous waste feedrate)	NC
1-157	Mercury: Inlet loading (maximum feedrate total mercury)	0.0104 lb/hr
1-158	Semivolatile metals: Inlet loading (maximum feedrate)	6.72 lb/hr
1-159	Low volatility metals: Inlet loading (maximum feedrate)	9.57 lb/hr
1-160	Semivolatile and low volatility metals: Inlet loading (maximum feedrate; either pumpable only or dual feedrate limits)	6.20 lb/hr
1-161	Total chlorine/chloride: Inlet loading (maximum feedrate)	115 lb/hr

Section 2: Changes Necessitated by Recent Changes to 40 CFR Part 63, Subpart EEE

EPA significantly modified 40 CFR Part 63, subpart EEE in October 2005. See 70 Fed. Reg. 59402 (Oct. 12, 2005). Among other things, the revised regulations contained new standards for various pollutants emitted from existing hazardous waste burning lightweight aggregate kilns including: mercury; cadmium and lead (semivolatile metals); arsenic, beryllium and chromium (low volatility metals); and particulate matter. EPA also revised the emission limits for other parameters as well as other provisions of the regulations. At the time Norlite was negotiating the permit with NYSDEC in 2005-2006, the compliance date for the new limits was still several years away. As a result, the new requirements were not included in the draft permit. Since then, EPA has modified the Subpart EEE standards again. 73 Fed. Reg. 18970 (Apr. 8, 2008). More recently, EPA announced that it had finalized additional revisions to the Subpart EEE regulations, which are scheduled to be published in the Federal Register shortly.

The compliance date for the new Subpart EEE standards for existing hazardous waste burning lightweight aggregate kilns was October 14, 2008. As of that date, Norlite was required to comply with the standards specified in 40 CFR 63.1221 (replacement standards for hazardous waste burning lightweight aggregate kilns) and the other revised requirements of Subpart EEE. See 40 CFR 63.1206(a)(1)(ii)(A). Therefore, in order to move forward to represent the new standards, all references to 40 CFR 63.1205 need to be replaced with references to 40 CFR

63.1221. Also, the draft Title V permit must be revised to include all other applicable new/revised requirements contained in the October 12, 2005 and later rulemakings. In some cases, this task will necessitate the wholesale replacement of conditions in the draft Title V permit with new conditions. In other cases, existing permit conditions can be modified to incorporate the minor changes needed to update the condition. These changes must be made to ensure that the permit contains all currently applicable Subpart EEE requirements.

Section 3: Revise Permit to Address Inclusion of Waste Fuel B and Clarify Fuel-Related Processes.

The Part 373 permit authorizes Norlite to burn Waste Fuel B as well as Waste Fuel A. The draft Title V permit must be revised to incorporate this option. Burning of Waste Fuel B is regulated under 6 NYCRR 225-2.4, which requires facilities to submit an application to DEC and make certain demonstrations. This requirement is satisfied by Norlite's Part 373 permit. Any burning of Waste Fuel B will be regulated in the same way as hazardous waste and will be subject to the conditions specified in Subpart EEE and included in the Title V permit. To achieve this result, Norlite proposes the following changes to the draft Title V permit.

- **Permit Condition 23, Emission Unit Definition, 23.2, K-ILNSG.** Add Waste Fuel B to the list of fuels included in the description of this emission unit.

- **Permit Condition 46, Process Definition by Emission Unit.** Add Waste Fuel B to Process KHF, Item 46.6.

Also, during the last round of negotiations, we asked DEC to modify the descriptions of various kiln-related processes, each of which authorizes a different combination of fuels. These different processes are necessary to distinguish which regulatory requirements apply to the particular fuel combination. The language included in the draft permit to describe each of the different processes remains somewhat confusing. Accordingly, we propose the following language as a substitute. It is patterned after the language used to describe Process KHF (Item 46.6) and we believe clearly spells out which fuel combinations are covered by which processes.

Process KAF (Item 46.4)

Waste fuel A is used as a fuel, alone or in combination with off-specification used oil, specification used oil, comparable fuels, No. 2 oil, No. 4 oil, No. 6 oil and natural gas.

Process KNA (Item 46.7)

Off-specification used oil is used as a fuel, alone or in combination with specification used oil, comparable fuels, No. 2 oil, No. 4 oil, No. 6 oil and natural gas.

Process KNF (Item 46.8)

Specification used oil is used as a fuel, alone or in combination with comparable fuels, No. 2 oil, No. 4 oil, No. 6 oil and natural gas.

Section 4: Other Proposed Revisions

Permit Condition 1-37, Compliance Certification (6 NYCRR 225-2.4(a)(2)). This permit condition establishes the PCB limits for Waste Fuel A. The parameter monitored is identified as "polychlorinated biphenyls (48%CL)", which we understand to refer to PCB Arochlor 1248. Norlite is unclear why the parameter monitored is identified as PCBs 48% CL when the regulation refers simply to PCBs. Please delete the reference to 48%CL.

Permit Condition 1-60, Calculation of Hazardous Waste Residence Time (40 CFR 63.1206(b)(11)). The reference in the condition to 63.1210(b) should be corrected to 63.1210(d).

Permit Condition 1-67, Corrective Measures (40 CFR 63.1206(c)(3)). The citation referenced at the beginning of the condition should be changed from 63.1206(c)(3)(i) to 63.1206(c)(3)(v).

Permit Condition 1-75, Record of Training and Certification (40 CFR 63.1206(c)(6)). The citation referenced at the beginning of the condition should be changed from 40 CFR 63.1206(c)(6)(i) to 40 CFR 63.1206(c)(6)(vii).

Permit Condition 1-76, Requirements for Control Room Operators at Cement Kilns and Lightweight Aggregate Kilns (40 CFR 63.1206(c)(6)). The citation referenced at the beginning of the condition should be changed from 40 CFR 63.1206(c)(6)(i) to 40 CFR 63.1206(c)(6)(iv).

Permit Condition 1-102, Compliance Certification (40 CFR 63.1209(a)(2)). This condition relating to CO monitoring appears to duplicate Permit Condition 1-101 (except that 1-101 includes a reference to specification 8A (hydrocarbons). Because Norlite does not monitor hydrocarbons, Condition 1-101 should be deleted.

Condition 1-135, Initial Notification (40 CFR 63.1210). This condition addresses the requirement to provide an initial notification by January 30, 2000. Since this deadline is long past, we reiterate our earlier request to delete this condition.

Condition 1-137, Progress Reports (40 CFR 63.1211). This condition addresses the requirement to submit progress reports associated with the NIC by October 1, 2001. Since this deadline is long past, we reiterate our earlier request to delete this condition.

Conditions 1-138 to 1-140, Various Reports (40 CFR 63.1211). These conditions represent a selection of required reports, details of which are found elsewhere than in 40 CFR 63.1211. In

two out of three cases, the Monitoring Description contains a condensed version of the underlying applicable requirement, which omits key elements. Norlite would like to request that DEC replace these conditions with one similar to Condition 1-141, which simply lists the recordkeeping requirements (essentially duplicating the regulation). This approach would ensure that all required reports are identified in the permit. Equally important, it would eliminate any inconsistencies between the underlying applicable requirement and the Monitoring Description in the permit.

Permit Conditions 1-144, 1-145, 1-153, 1-154, Compliance Certification (6 NYCRR 212.3(b), 212.10(c)). These conditions reference limits on SO_2 and NOx derived from the facility's Part 373 hazardous waste permit. Because the Part 373 permit was reorganized after the draft Title V permit was developed, the reference to the Part 373 Module is incorrect. These permit conditions must be revised to reference Module V ***not*** Module VII.

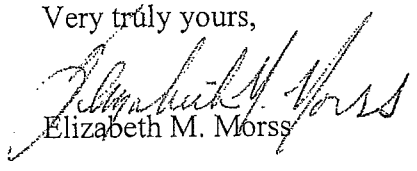
Permit Condition 29 (former), Annual Emission Statement (6 NYCRR 202-2.1); Permit Condition 30 (former), Records Required for Annual Emission Statement (6 NYCRR 202-2.5). These conditions were dropped (perhaps inadvertently). Since the provisions are clearly applicable requirements, they should be restored.

We recognize that Norlite's comments concerning the draft permit are significant. As the above summary makes clear, however, intervening regulatory and other changes, coupled with the delay in publishing the draft permit, rendered many key permit requirements out-of-date. These provisions must be updated as part of the final permit.

As you might expect, Norlite is anxious to finalize the draft permit quickly. Accordingly, we would like to meet with DEC after agency staff has had a chance to review these comments so we can resolve any outstanding issues before the proposed permit is forwarded to EPA for review. If it would help to expedite the approval process, we would be happy to provide DEC with a list of changes that we believe must be made to the permit to incorporate recent revisions to Subpart EEE.

Many thanks for your attention to this matter. If you have any questions regarding this letter, please call Tom VanVranken at (518) 235-0401, ext. 4038.

Very truly yours,



Elizabeth M. Morss

EXHIBIT "B"

Responses to NYSDEC Comments No. 2 on Norlite's Comprehensive Performance Test (CPT) Report Submitted in August 2004

The following information is provided in response to comments forwarded by NYSDEC in a letter dated December 9, 2005 and received by Norlite on December 12, 2005. The DEC comment is repeated and/or summarized and then followed by the ENSR/Norlite response. As per agreement with NYSDEC, the due date for this response package is February 28, 2006.

Response to NYSDEC Comments:

1. Page 1-1: In combining the notification of compliance and the CPT report please add a statement to Paragraph 1.2 that the OPLs stated in Table 4-1 of the report will be "complied with" in order to better clarify and demonstrate that the facility will comply with MACT standards.

Response:

As stated in our October 14, 2005 response letter, appropriate language is already incorporated in the first paragraph of Section 4.2 which references Table 4-2. This paragraph reads as follows: "Table 4-2 provides a complete summary of each of the relevant MACT-specified OPLs, the averaging period for the parameter, how the limit was established and the demonstrated value. This table is based on the requirements of 40 CFR 63.1209 and provides a complete listing of all OPLs needed to ensure continued compliance with the MACT standards." We believe that the language in this paragraph combined with the language in Section 1.2 of the report is more than sufficient to demonstrate that the facility will comply with [the] MACT standards.

2. Page 4-2, Section 4.5.2: The CMS PET Summary reports (last page) states that "...NYSDEC has accepted the results..." The Department has no record or recollection of issuing any such acceptance or approval. Please provide the CMS PET data for Department review. It would be preferable to receive this data in electronic form.

Response: The summary reports for each of the three CMS PETs performed were attached to the October 14, 2005 response letter. The language referred to which makes reference to NYSDEC "acceptance of the results" pertains to the performance evaluation conducted on Kiln 1 in July 2004. Since a full PET had also been performed on Kiln 1 in June 2004, Norlite received verbal concurrence from NYSDEC that the rolling average calculations and programmable logic statement checks would not need to be repeated in July 2004. The phrase "acceptance of the results" was meant to refer only to these two portions of the July 2004 PET and was based on a telephone conversation between Tom Sullivan of Norlite and Parag Amin of NYSDEC.

A full copy of the PET report will be provided to NYSDEC under separate cover. Please note that this document is being provided in electronic format.

3. Page 4-3, Section 4.5.2.4: The report needs to include statements and/or data on the following: a) the audit ensured that the duration of the unavailability of one-minute average readings (due to, for example, instrumentation is down, feed is stopped or interrupted, etc.) was disregarded in calculating the hourly and 12-hour rolling averages (HRA) for hazardous waste, oil & shale feed rate and other OPLs; b) that the audit ensured that OPLs data are correctly recorded and retained for the required duration; and c) tables showing the type of data (instantaneous, OMA, HRA, 12-hr RA, etc.) recorded, retained and the duration of such record retention for each OPL.

Response: The audit did ensure that when a one-minute average is not available, the hourly and 12-hour rolling averages were calculated correctly. All data are recorded and calculated as required under 40 CFR 63.1209 (b) (5) (ii) and 63.1209 (q) (2) (iii). b) The audit ensured that the OPL data were correctly recorded and all data are retained for the required duration. Appropriate statements have been added to the report and revised pages are attached. Note that all data is retained on CD monthly for each kiln and kept for the life of the facility.

4. Page 4-3, Section 4.5.2.4: a) The response needs to be incorporated into the report. Also, Norlite in their WAP-2 sheet needs to specifically mention that the certified LLGF and used oil flow rates are HRA in order to assure no misunderstanding on these figures particularly by plant operators. b) Your response needs to indicate the methods used for each feed stream. In a table provide analytical and preparation methods used for shale, LLGF, and used oil during routine operation to ensure compliance with metals and halogen feed rate OPLs. Also, indicate the reagent used for titration, digestion, etc.

Response: a) As noted above in the response to Comment 3, appropriate statements have been added to the report and revised pages are attached. With respect to the changes requested to the WAP-2 sheets, we offer the following comments. Based on the most recent analytical results from the Norlite laboratory, the WAP-2 sheet is prepared by the lab and denotes the critical fuel properties that are to be input to the process control computers for each kiln. The value determined for LLGF feed rate (for example) is a simple mass flow rate which, when input to the process computer, is tracked on an hourly rolling average (HRA) basis. Because only the value is input to the computer, there is no chance for operator error with respect to the units and therefore no need to change the format of the WAP-2 sheet. b) The methods used by the onsite laboratory are as listed in Section 5.8.1 of the MACT CPT Plan (Revision 2, February 18, 2004) and as listed in Table WAP-1 of the facility's waste analysis plan (WAP). The WAP is provided in Section C (Waste Characteristics) of the Part 373 Permit Application. Specific information regarding reagents used for titration, digestion, etc. can be found in the laboratory SOPs, which are provided in Section L of the permit application and also on file in the lab as required by NELAP regulations.

5. Table 4-2: The Department considers the Ducon unit to be air pollution control equipment (APCE) and its OPL needs to be established from the CPT. A revised table is needed adding these limits. Alternatively, if Norlite does not consider the Ducon unit APCE and does not intend to set a Ducon pressure drop as an OPL then it will be necessary to seek a variance from U.S. EPA which has the sole authority to rule on variances from the MACT rule.

Response: Norlite maintains the position that the setting of an OPL based on Ducon pressure drop is neither required by the MACT regulations nor technologically sound based on experience and conventional engineering principles. We reiterate and reinforce the reasons previously cited as follows:

- The Ducon unit is a mist eliminator and is not classified as either a high energy or low energy wet scrubber according to the "Technical Support Document for HWC MACT Standards – Volume IV – Compliance with the HWC MACT Standards", July 1999. Low energy wet scrubbers are identified as spray towers, tray towers or packed bed scrubbers. High energy wet scrubbers are identified as venturi scrubbers or other novel designs such as free-jet, collision/condensation or rotary atomizers. Therefore the setting of a pressure drop across this unit is not applicable or required by the MACT regulations.
- The overall effectiveness of Norlite's wet scrubbing system is more than sufficiently controlled by the existing five (5) OPLs already in place: minimum liquid-to-gas ratio; minimum venturi pressure drop; minimum scrubber blowdown rate; minimum scrubber tank liquid level; and minimum scrubber liquid pH. The addition of a pressure drop limit on the mist eliminator would be duplicative and unnecessary.
- The Ducon pressure drop is not necessarily controllable. The buildup of water droplets and moisture entrainment is variable and the unit is periodically washed with water to stay below the current RCRA pressure drop limit. Any buildup of lime salts on the mist eliminator pads is not removed by the water spray and therefore these pads are periodically replaced.
- The Ducon pressure drop does not correlate with venturi pressure drop, which is the main parameter used to assure compliance. The setting of a pressure drop limit on the mist eliminator would therefore be counterproductive. (Please see the attached compilation of data and graph for all major test events conducted at the facility since the April 1999 trial burn.)

Because we do not believe that the MACT rule requires the setting of an OPL for the Ducon unit, it is unclear what exactly we would need to seek a variance from.

Additional areas to address: 1) The unit of measurement of dry sorbent carrier fluid flow rate is "scfm" and not "cfm"; 2) State the brand and type of dry sorbent used during the CPT; 3) State which fluid is used as a carrier.

Response: 1) The correct units are scfm and this change has been made in the attached revised Table 4-2. 2) Information on the type of sorbent used along with pertinent properties was specified on page 6 of Section 2.0 of the CPT plan. Norlite does not want to provide the name of the supplier for this material since the particular vendor used may change at any time in the future. As long as the specified sorbent properties are fulfilled, we consider that we are in compliance with this requirement. 3) The carrier fluid is air and this has been added to Table 4-2.

6. Table 7-11: In the CPT 3 report, in the August 2004 submission, for LLGF total halogen, on the "Conventional Analysis Data Sheets", the units and the method citation must be changed to % and ASTM D808/9253. Also, add a discussion to justify citing 9252 instead of 9253, since 9252 was deleted by EPA from SW-846 due to its use of a mercuric compound. The "Conventional Analysis Data Sheets", and any other pages where such errors occur, need to be corrected and resubmitted for inclusion in the report record. Handwritten corrections, signed and dated, on copies of the original submission pages would be acceptable.

Response: As we have continued to investigate the specific methods used by the outside laboratory for analysis of the LLGF and shale during the various CPT events, it has become apparent that Adirondack Environmental Services (AES) did not use all of the methods cited in the CPT Plan. As correctly pointed out by NYSDEC, AES used EPA Method 9252 for chlorine analysis whereas the specified procedure was EPA Method 9253. On the basis of this information, we believe that it makes sense to use the data generated by the Norlite laboratory, which also analyzed all samples concurrently during each CPT event. The Norlite lab did use the correct method for this analysis. All of the raw data associated with the Norlite lab analyses were provided on disk in the final report along with all other lab results. NYSDEC is welcome to compare the Norlite data to their own split sample results as well as the results provided by AES. The Norlite data compare reasonably well with the AES data, but it would be our contention that the Norlite data are more appropriate because the correct method was used. Revised chlorine input loadings based on the Norlite lab results are provided in revised Tables 7-9, 7-10 and 7-11.

It is also our contention that the OPL for chlorine input was incorrectly specified in the final NOC as the average result from CPT 3. We believe that the appropriate chlorine input number should be the more conservative result from either CPT 1 (Condition 2) or CPT 2 (Condition 2) as stated in Section 4.2 of the final MACT NOC report. On the basis of the revised Table 7-10, the new chlorine OPL would be **86.0 lb/hr** and this revised OPL has been changed in the attached revised Table 4-2.

7. Emissions: The Cl_2 emissions data is accepted based on comparison to previous data collected. In future testing for the Department, the pH needs to be measured and recorded when the impinger samples are recovered from the sampling trains, or immediately upon receipt at the laboratory in order to document that the back impingers are alkaline.

Response: Since the MACT-specified method followed for measurement of HCl and Cl_2 (Method 26A) does not specify any such measurement of pH following sampling, we do not believe it is appropriate to agree to this method modification at this time.

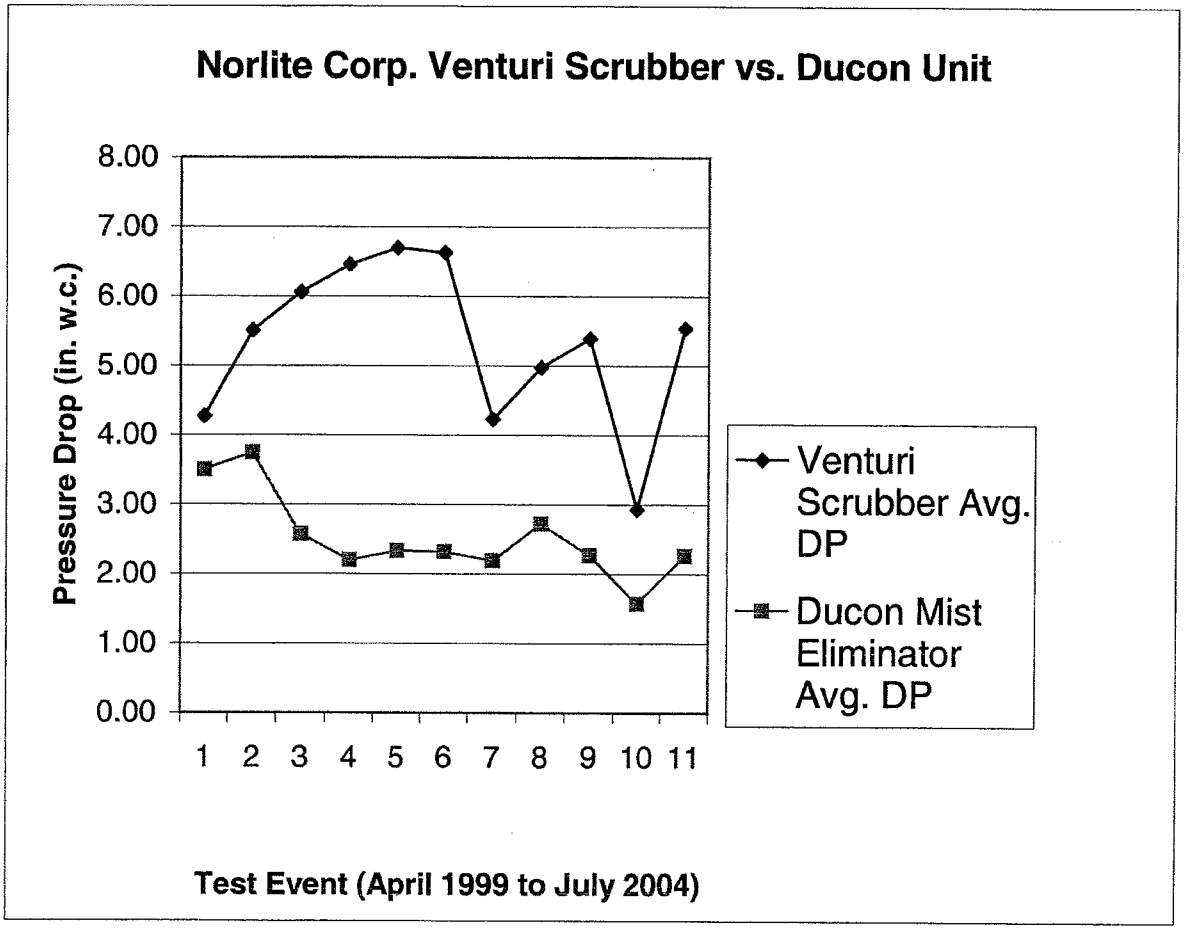
7. Emissions: The PCDD/PCDF results are accepted but with several comments....

Response: Although we do not fully agree with all of the NYSDEC comments offered, no further response is deemed necessary at this time.

NORLITE CORPORATION - COHOES, NY

Summary of OPL Data Averages Related to Venturi Scrubber and Ducon Unit

Test Program	Date	Test Condition	Venturi Scrubber Avg. DP	Ducon Mist Eliminator Avg. DP
RCRA Trial Burn	April-99	Cond. A	**4.27**	**3.50**
		Cond. B	**5.51**	**3.75**
Risk Burn	May-00	Cond. B	**6.06**	**2.57**
Risk Burn Phase 2	July-01	Cond. B	**6.46**	**2.20**
		Cond. C	**6.70**	**2.33**
		Cond. D	**6.63**	**2.32**
MACT CPT 1	March-04	Cond. 1	**4.23**	**2.19**
		Cond. 2	**4.98**	**2.72**
MACT CPT 2	June-04	C1-K1	**5.39**	**2.27**
		C2-K2	**2.93**	**1.57**
MACT CPT 3	July-04	C1-K1	**5.54**	**2.26**



June 2004; Kiln 1 – July 2004". This document is being kept onsite in the facility's library. Further details on the overall PET program are provided below.

4.5.2.1 Instrument Maintenance and Calibration Program

Norlite personnel conducted an audit of their instrument maintenance and calibration program. The calibration records of the instruments were reviewed to determine when the most recent calibrations had occurred and to ensure that the calibration forms were complete and correct. The review encompassed the calibration records for the months of October through December 2003 and January through May and July 2004. Only minor clerical issues were noted and were to be corrected going forward. It was noted that the maintenance performed on the air pollution control instruments that is not recorded on a calibration sheet would be tracked by creating a computerized log.

4.5.2.2 Calibrating Field Instruments

All process instrumentation associated with Kiln No. 2 was calibrated in the last two weeks of February. All process instrumentation associated with Kiln No. 1 was calibrated in the last two weeks of May and in July prior to CPT 3. The instruments that had maintenance on them during these timeframes were re-calibrated to ensure accuracy. All instruments associated with each kiln passed their calibrations and the raw data are included in the overall document retained at the facility.

4.5.2.3 Auditing the AWFCO Test Program

Auditing of the AWFCO test program consisted of reviewing AWFCO testing logs from October 2003 to May 2004 to determine if there were any recurring problems with the AWFCO system. A set of AWFCO parameter checks was performed on the system to ensure proper operation. All AWFCO checks passed and the data sheets are included in the overall document retained at the facility.

4.5.2.4 Rolling Average Calculations

Spreadsheets provided in the facility document show the raw data that were used in auditing the hourly and 12-hour data for random data points. The raw data were used to calculate hourly rolling averages (HRAs) and 12-hour rolling averages and was then compared to the HRAs and 12-hour RAs that are printed for the MACT parameters on the MACT DEC report and the RCRA DEC Report. The audit did ensure that when a one-minute average is not available, the hourly and 12-hour rolling averages were calculated correctly. The audit also ensured that the OPL data were correctly recorded and all data are retained for the required duration. All data are recorded and calculated as required under 40 CFR 63.1209 (b) (5) (ii) and 63.1209 (q) (2) (iii).

4.5.2.5 Programmable Logic Statements

The logic statements for the MACT OPLs and the span limits were printed out and random parameters were picked for review. Each of the parameters picked were thoroughly reviewed to ensure all inputs were correct. No problems were noted.

4.5.3 Continuous Emissions Monitoring System (CEMS)

Each kiln is equipped with redundant instruments for measuring concentrations of carbon monoxide (CO) and oxygen (O_2). In addition, each kiln is also equipped with a newly installed flue gas flow monitor. A complete description of this instrumentation, which is also considered part of the overall CMS, is provided in Section 2.5 of the CPT Plan.

4.5.4 Automatic Waste Feed Cutoff (AWFCO) System

Operation outside the demonstrated operating limits is prevented through the Automatic Waste Feed Cutoff (AWFCO) System. The AWFCO system includes logic and alarm operating set points that are programmed into the Process Control System that oversees the operation of each kiln. Should kiln operation drift outside of the limits demonstrated in this NOC or the existing RCRA limits, whichever is more restrictive, the logic will automatically close block valves on the LLGF feed lines to the kiln. This system works to assure that no hazardous waste is fed until appropriate operating conditions are once again established. The AWFCO system and associated testing to ensure proper operation are fully described in Sections 2.4.2 and 2.4.3 of the CPT Plan.

All cutoff limits are set as per Table 4-2 and each of the limits is tested on a monthly basis. During the CMS PET, the OPL limits were audited by conducting a review of the past AWFCO checks, as well as completing a full set of AWFCO checks on the appropriate kiln. Any discrepancies were noted and corrected action was initiated, as necessary. The CMS PET summary discusses the results of the AWFCO checks that were conducted.

4.5.5 Operator Training and Certification

Norlite has evaluated all jobs related to the operations and maintenance of the hazardous waste LWAK at the Cohoes, NY facility. As part of this, an assessment of whether a particular job classification has the potential to affect emissions of Hazardous Air Pollutants (HAPs) based upon the nature and duties required to be performed. Finally, for job classifications that have been determined to be subject to the training requirements under the HWC MACT regulations, Norlite has categorized their training into one of three levels – A, B or C. All personnel are trained initially and then receive annual refresher training.

(Note: Section 4.5.4 was revised and new Section 4.5.5 was added on October 11, 2005 in response to NYSDEC comments on the CPT report provided on August 16, 2005. Section 4.5.2.4 was revised on February 23, 2006 in response to NYSDEC comments provided on December 9, 2005.)

Table 4-2 Operating Parameter Limits Established Pursuant to MACT [Rev 2: Feb 2006]

Process Parameter [Regulatory Citation]	Units	Averaging Period (a)	How Limit Established (b)	MACT OPL
Maximum Total (and Pumpable) Waste Feed Rate [63.1209 (j)(3) and (k)(4)]	gpm	1-hr	Avg. of maximum HRAs for each run of CPT 3, C1	10.3
Minimum LLGF Atomization Pressure [63.1209 (j)(4)]	psig	1-hr	Avg. of test run minimums for April 1999 Trial Burn, Condition A	52
Minimum Kiln Back-End Temperature [63.1209 (j)(1) and (k)(2)]	°F	1-hr	Avg. of test run averages for CPT 3, C1	865
Maximum Heat Exchanger Exit Temperature [63.1209 (k)(1)(ii)]	°F	1-hr	Avg. of test run averages for CPT 3, C1	453
Maximum Baghouse Inlet Temperature [63.1209 (n)(1)]	°F	1-hr	Avg. of test run averages for CPT 1, C2	399
Maximum Kiln Production (Shale Feed) Rate [63.1209 (l)(2), (k)(3), (m)(2), (n)(5) and (o)(2)]	tph	1-hr	Avg. of maximum HRAs for each run of the April 1999 Trial Burn, CA	22.0
Minimum Liquid-to-Gas (L/G) Ratio [63.1209 (m)(1)(C)]	gal / 1000 wet scf	1-hr	Avg. of test run averages for CPT 1, C2	4.0
Minimum Venturi Pressure Drop [63.1209 (m)(1)(i)(A) and (o)(3)(i)]	in. w.c.	1-hr	Avg. of test run averages for CPT 2, C2	2.9
Minimum Scrubber Blowdown Rate [63.1209 (m)(1)(i)(B)(4)]	gpm	1-hr	Avg. of test run averages for CPT 2, C2	13.6
Minimum Scrubber Tank Liquid Level [63.1209 (m)(1)(i)(B)(4)]	% of tank height	1-hr	Avg. of test run averages for CPT 2, C2	43.0
Minimum Scrubber Liquid pH [63.1209 (o)(3)(iv)]	pH units	1-hr	Avg. of test run averages for CPT 2, C2	8.0
Minimum Dry Sorbent Feed Rate [63.1209 (n)(2)(A)]	lb/hr	1-hr	Avg. of test run averages for CPT 1, C2	270
Minimum Dry Sorbent Carrier Fluid (Air) Flow Rate [63.1209 (o)(4)(ii)]	scfm	1-hr	Avg. of test run averages for CPT 2, C2	152
Maximum Total Chlorine Feed Rate [63.1209 (n)(4) and (o)(1)]	lb/hr	12-hr RA	Avg. of test run averages for CPT 2, C2	86.0
Maximum Total SVM (Cd+Pb) Feed Rate [63.1209 (n)(2)(A)]	lb/hr	12-hr RA	Avg. of test run averages for CPT 2, C2	5.89
Maximum Total LVM (As+Be+Cr) Feed Rate [63.1209 (n)(2)(B)]	lb/hr	12-hr RA	Avg. of test run averages for CPT 2, C2	5.44
Maximum Total Pumpable LVM (As+Be+Cr) Feed Rate [63.1209 (m)(2)(C)]	lb/hr	12-hr RA	Avg. of test run averages for CPT 2, C2	4.71
Maximum Total Mercury Feed Rate [63.1209 (l)(1)]	lb/hr	12-hr RA	Avg. of test run averages for CPT 2, C2	0.005

(a) All parameters with an averaging period of 1-hr are measured on an HRA basis.

(b) The specific test event is identified as RCRA Trial Burn (April 1999), CPT 1 (March 2004), CPT 2 (June 2004) or CPT 3 (July 2004). The test condition is identified as either Condition A (CA), Condition 1 (C1) or Condition 2 (C2).

Table 7-9 Chloride Input Loadings – CPT 1

	Test Condition 1 - Kiln 2					
Kiln Feed Materials -	**C1-R1**		**C1-R2**		**C1-R3**	
	Units		Units		Units	
LLGF Feed Rate	gpm	10.26	gpm	10.28	gpm	10.30
LLGF Density	g/cc	0.956	g/cc	0.954	g/cc	0.954
Shale Feed Rate	tph	21.96	tph	21.64	tph	21.96
Input Loadings	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)
Chlorides (Cl)						
- LLGF	1.91%	93.8	1.92%	94.2	1.86%	91.4
- Shale	0.0300%	13.2	0.0300%	13.0	0.0300%	13.2
Total Cl Input		**107.0**		**107.2**		**104.6**
	Test Condition 2 - Kiln 2					
Kiln Feed Materials -	**C2-R1**		**C2-R2**		**C2-R3**	
	Units		Units		Units	
LLGF Feed Rate	gpm	10.30	gpm	10.32	gpm	10.32
LLGF Density	g/cc	0.964	g/cc	0.965	g/cc	0.971
Shale Feed Rate	tph	21.98	tph	21.98	tph	21.99
Input Loadings	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)
Chlorides (Cl)						
- LLGF	1.88%	93.4	1.76%	87.7	2.18%	109.3
- Shale	0.0300%	13.2	0.0300%	13.2	0.0300%	13.2
Total Cl Input		**106.6**		**100.9**		**122.5**

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Table 7-10 Chloride Input Loadings – CPT 2

	Test Condition 1 - Kiln 1					
Kiln Feed Materials -	**C1-K1-R1**		**C1-K1-R2**		**C1-K1-R3**	
	Units		Units		Units	
LLGF Feed Rate	gpm	10.23	gpm	10.22	gpm	10.34
LLGF Density	g/cc	0.906	g/cc	0.917	g/cc	0.937
Shale Feed Rate	tph	21.99	tph	22.01	tph	22.39
Input Loadings	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)
Chlorides (Cl)						
- LLGF	2.01%	93.2	2.29%	107.4	1.89%	91.6
- Shale	0.0300%	13.2	0.0300%	13.2	0.0300%	13.4
Total Cl Input		**106.4**		**120.6**		**105.1**
	Test Condition 2 - Kiln 2					
Kiln Feed Materials -	**C2-K2-R1**		**C2-K2-R2**		**C2-K2-R3**	
	Units		Units		Units	
LLGF Feed Rate	gpm	8.30	gpm	8.24	gpm	8.43
LLGF Density	g/cc	0.922	g/cc	0.902	g/cc	0.940
Shale Feed Rate	tph	21.69	tph	21.61	tph	21.98
Input Loadings	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)
Chlorides (Cl)						
- LLGF	2.00%	76.6	1.95%	72.5	1.98%	78.5
- Shale	0.0300%	13.0	0.0200%	8.6	0.0200%	8.8
Total Cl Input		**89.6**		**81.2**		**87.3**

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Table 7-11 Chloride Input Loadings – CPT 3

	Test Condition 1 - Kiln 1					
Kiln Feed Materials -	**C1-K1-R1**		**C1-K1-R2**		**C1-K1-R3**	
	Units		Units		Units	
LLGF Feed Rate	gpm	10.23	gpm	10.29	gpm	10.33
LLGF Density	g/cc	0.916	g/cc	0.923	g/cc	0.918
Shale Feed Rate	tph	23.41	tph	22.94	tph	22.97
Input Loadings	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)	% wt.	Feed Rate (lb/hr)
Chlorides (Cl)						
- LLGF	0.84%	39.4	0.91%	43.2	1.12%	53.1
- Shale	0.0251%	11.8	0.0235%	10.8	0.0221%	10.2
Total Cl Input		**51.1**		**54.0**		**63.3**

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Revised: Feb 2006

EXHIBIT "C"

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 4
1130 North Westcott Road, Schenectady, New York 12306-2014
Phone: (518) 357-2069 • **FAX:** (518) 357-2460
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

January 16, 2008

William Morris
Norlite Corp.
628 South Saratoga Street
PO Box 694
Cohoes, New York 12047

RE: DEC # 4-0103-16/16
Norlite Corp
373 HW/APC Permit
Objection to Issued Permit/Request For Hearing
Cohoes(C), Albany County

Dear Mr. Morris,

As a conclusion to our discussions regarding Norlite's objections to the 373 HW/APC permit originally issued to take effect 7/12/2007 the permit is hereby modified in the enclosed agreed to revised permit pages including a new effective date of 1/18/2008. This satisfies the objections raised. Please confirm this resolution in writing withdrawing the hearing request.

If you have any questions please feel free to contact me.

373
Next Permit
1/1/2016

Sincerely Yours,

William J. Clarke

William J. Clarke
Regional Permit Administrator
Region 4

NorlliteHWHrgReqRes001.wpd
CC: H. Brezner
S. Chetty/P. Amin
T. Lachell

No.	Feed Description	Modes of LWAKs Operation		
		Normal Operation	Operation immediately after HW AWFCO	Startup & Shut Down of LWAKs
6	Virgin Fuels and natural gas	The permittee shall meet applicable NYS Air emissions regulations.	The permittee shall meet applicable NYS Air emissions regulations.	The permittee shall meet applicable NYS Air emissions regulations.

(2) The Permittee shall control fugitive emissions from the combustion zone and the back end of the LWAK by continuously maintaining a negative kiln pressure at the hood of the kiln and maintaining the baghouse pressure drop below the maximum operating limit as specified in Condition D.3 of this module. If the hood pressure operating limit specified in the table below is exceeded, the permittee shall immediately & automatically cutoff hazardous waste (i.e. LLGF) feed to the kiln. Immediately after such cutoff, the permittee shall visually inspect the kilns for fugitive emissions. If the visual inspection reveals fugitive emissions, permittee shall immediately cease burning other liquid feed streams (other than the virgin fuels & on-specification used oil) and take appropriate corrective measures to control the fugitive emissions. The permittee shall resume feeding LLGF and other liquid streams after the fugitive emissions are stopped. Such fugitive emission incidences shall be reported in the monthly report in accordance with condition Module V.D.(9).

(3) The Permittee shall feed wastes described in Condition C of this module to the LWAK only under the following operating conditions. The Permittee shall operate, monitor, maintain and calibrate the systems specified below to automatically activate the alarm and cut off the hazardous waste to the LWAK at the levels specified below when the operating conditions deviate from the limits established below. This table below does not apply while solely burning on-specification used oil, Comparable Fuels, natural gas, Fuel oil No. 2 , 4, 6, diesel and/or kerosene.

The alarms and the automatic waste feed cutoff (AWFCO) systems listed below shall be tested in accordance with Condition E(3) of this module to ensure that, for each interlocked parameter, deviations from the allowed operating limits will result in a pre-cutoff alarm activation and/or an automatic cutoff of LLGF & Off-Specification used oil/Waste Fuel A as applicable. The permittee shall follow calibration and automatic waste feed cutoff check procedure specified in Attachment D of this permit.

Operating Parameters (measured by instrument tag #s provided in Appendix D-17 of Attachment D)	Averaging Period	Alarm Set-point	Automatic Waste Cutoff Limit[2]	Monitoring/ Recording7 Frequency	Calibration Frequency
Hazardous Waste (LLGF) feed rate, gpm[6]	HRA[1]	9.0 gpm (HRA[1])	>10.3 gpm (HRA[1])	Monitor Continuously[3] & record HRA every minute	Monthly
Off- Specification used Oil, Waste Fuel A, B feed rate (when co-fired with HW), gpm	HRA[1]	HRA Limit shall be set for each certified tank to comply with the feed rate limits of total chlorine, metals & Btu in condition (C) above.	HRA Limit shall be set for each certified tank to comply with the feed rate limits of total chlorine, metals & Btu in condition (C) above.	Monitor Continuously[3] & record HRA[1] every minute	Monthly
Kiln Back-end Temp. (°F) Minimum Maximum	 HRA[1] HRA[1]	 910 1010	 < 896 >1030	Monitor Continuously[3] & record HRA every minute	Monthly
Stack gas Carbon Monoxide, ppm @ 7% O_2, dry[5]	HRA[1]	60 400	>100 while burning LLGF >500 while burning Waste Fuel A or Off-specification used oil in absence of LLGF (see condition D(1)).	Monitor Continuously[3] & record HRA every minute	Daily calibration Quarterly CE Test. Annual Performance Specification Test as per Appendix 49 of 6 NYCRR Subpart 374-1.

Operating Parameters (measured by instrument tag #'s provided in Appendix D-17 of Attachment D)	Averaging Period	Alarm Set-point	Automatic Waste Cutoff Limit[2]	Monitoring/ Recording7 Frequency	Calibration Frequency
Stack gas Oxygen (dry) %	HRA[1]	none	none	Monitor Continuously[5] & record HRA every minute	Daily calibration Quarterly CE Test. Annual Performance Specification Test as per Appendix 49 of 6 NYCRR Subpart 374-1.
Stack gas flow rate wet scfm	HRA[1]	44,500	≥45,000	Monitor Continuously[5] & record HRA every minute	Monthly visual inspection. Quarterly clean up. Annual Relative Accuracy test as per Performance Specification 6, 40 CFR Part 60, Appendix B.
Kiln (i.e. Hood) pressure, "wg	INST[3]	-0.08	>-0.05	Monitor Continuously[5] & record maximum reading in a minute every minute[7]	Monthly
Baghouse[4] pressure drop, "wg	HRA[1]	< 5.6	< 5.1	Monitor Continuously[5] & record HRA every minute	Monthly
Scrubber Water Re-circulation rate, gpm	HRA[1]	194	< 180	Monitor Continuously[5] & record HRA every minute	Monthly calibration. Annual calibration by outside contractor.
Heat exchanger outlet temperature (°F)	HRA[1]	448	> 453	Monitor Continuously[5] & record HRA every minute	Monthly
Inlet Temperature to Baghouse, °F	HRA[1]	390	>400	Monitor Continuously[5] & record HRA every minute	Monthly

Operating Parameters (measured by instrument tag #s provided in Appendix D-17 of Attachment D)	Averaging Period	Alarm Set-point	Automatic Waste Cutoff Limit[2]	Monitoring/ Recording7 Frequency	Calibration Frequency
Shale feed rate, tph	HRA[1]	21.0 (HRA[1])	>22[5] (HRA[1])	Monitor Continuously[1] & record HRA every minute	Monthly
Lime feed rate, lb/hr	HRA[1]	< equivalent of 3.3 lb/hr of lime per lb/hr chlorine feed	< equivalent of 3.2 lb/hr of lime per lb/hr chlorine feed	Monitor Continuously[1] & record HRA every minute	Monthly
Re-circulation tank pH	HRA[1]	8.2	<7.9	Monitor Continuously[1] & record HRA every minute	Monthly
Venturi Pressure, drop, "wg	HRA[1]	3.5"	< 2.9"	Monitor Continuously[1] & record HRA every minute	Monthly
Ducon scrubber pressure drop "wg	HRA[1]	2.0"	< 1.5"	Monitor Continuously[1] & record HRA every minute	Monthly
Scrubber water blow down, gpm	HRA[1]	17	< 16.2	Monitor Continuously[1] & record HRA every minute	Monthly calibration. Annual calibration by outside contractor.
LLGF Line pressure, psig	HRA[1]	40	< 35	Monitor Continuously[1] & record HRA every minute	Monthly
LLGF atomization pressure, psig	HRA[1]	60	< 52	Monitor Continuously[1] & record HRA every minute	Monthly

1. Hourly Rolling Average (HRA) is a average of immediately preceding 60 one minute average values. The permittee shall ignore periods of time when one minute average values are not available for calculating HRA. When one minute average values become available again, the first one minute average value is added to the previous 59 values to calculate the HRA.

2. The permittee shall operate the LWAKs with the functioning system that immediately and automatically cuts off the LLGF when: a) the values for operating parameters exceed their limits of the "Automatic Waste Cutoff limit" column in the table of condition D(3) above b) the process monitoring instrument (including CO & O2 monitors)

malfunctions and c) any component of the automatic waste feed cutoff system fails. Automatic waste cutoff shall be without any time delay unless specifically mentioned.

The permittee shall operate the LWAKs with the functioning system that immediately and automatically cuts off the Off-specification used oil/Waste Fuel A when: a) CO concentration exceeds 500 ppm @ 7% O2, dry on HRA basis while solely burning off-specification used oil/Waste fuel A b) the process monitoring instrument (including CO & O2 monitors) malfunctions and c) any component of the automatic waste feed cutoff system fails. Automatic waste cutoff shall be without any time delay unless specifically mentioned.

3. Continuous means reading taken at least once every 15 seconds.

4. The Permittee shall continuously operate all three bag house modules while burning hazardous waste (i.e. LLGF).

5. Hazardous wastes (i.e. LLGF) may be fed to the LWAKs for a maximum period of 30 minutes prior to introducing shale to the kilns, provided that all other operating conditions specified in the table of Condition D(3) above are met prior to feeding hazardous wastes (i.e. LLGF). If a cessation of shale feed results during operation, the Permittee shall, within 30 minutes, stop the hazardous waste (i.e. LLGF) feed to the kilns if the shale feed has not been restored within 30 minutes of its sloppage.

6. Instantaneous CO concentration should be corrected for 7% O_2 using following formula prior to calculating hourly rolling average corrected CO concentration.

$$InstantaneousCOppmv(dry)@7\%O_2 = CO(14.0/21.0 - O_2)$$

where: CO= Instantaneous CO ppmv (dry) reading
O_2= Instantaneous O_2 % (dry) reading corresponding to instantaneous CO reading

7. The permittee shall retain all the instantaneous and one minute average readings of all parameters (except for hood pressure & feeds flow rates) listed above for at least two hours. The permittee shall retain instantaneous readings of the hood pressure for at least two hours. The permittee shall retain all the instantaneous and one minute average readings of feeds flow rates listed above for at least thirteen hours. All readings recorded as per the "Monitoring/Recording' Frequency" column in the above table shall be retained until the closure of the facility.

(4) The permittee shall maintain the minimum back end temperature limit specified in the table of condition D(3) while hazardous waste or hazardous waste residues remains in the combustion chamber.

(5) The permittee shall duct combustion gases through entire air pollution control system all the time LWAKs are operating.

(6) The permittee shall monitor & record the operating parameters listed in condition D(3) above all the time while operating the LWAK. If the monitoring instrumentation for any of the operating parameters (listed in 1st column) malfunctions, LLGF feed will be cutoff automatically and the Permittee may continue or initiate feeding Off-specification used oil/Waste Fuel A provided that the Carbon Monoxide (CO) & Oxygen monitors are functioning properly and the CO concentration is below 500 ppmv at 7% oxygen. The permittee shall not start or restart LLGF &/or Off-specification used oil/Waste Fuel A feeds after AWFCO until all the applicable operating parameters are within the specified limits in condition D(3) above.

(7) The permittee shall investigate the cause of each AWFCO and take appropriate corrective measures to minimize future AWFCOs and record the findings in the operating records and report in the monthly report required by the condition D(9) below.

(8) Permittee shall notify the Department (NYSDEC) within 72 hours if the automatic waste feed cutoff (AWFCO) system (including AWFCOs initiated prior to reaching the conditions set forth in D(1) of this module and AWFCOs initiated for parameters not in the condition D(1) of this module) has been activated 25 times or more in any calendar month period. AWFCOs caused by power outages shall not be included in this total. When a AWFCO is registered by the instruments for exceedance of conditions set forth in Condition D(3), following another AWFCO which has been initiated prior to reaching the conditions set forth in Condition D (3) of this module, these two cutoffs will be counted as one AWFCO provided all liquid waste feeds to the incinerator have been cutoff by the first AWFCO to occur . Each automatic waste feed cutoff after each startup shall be counted as one, irrespective of the duration of operation between each startup and cutoff. The notification shall include an explanation of the reasons for the AWFCOs and actions taken to prevent such frequent shutdowns.

If and when the automatic waste feed cutoff system has been activated as described above more than 50 times in a calendar month operating period, Permittee shall submit a report identifying the problem(s) and recommendation(s) & implement the remedy(s) such that the unit will operate within 25 AWFCO cutoff limits. Such report must be prepared and certified by an independent New York State registered professional engineer knowledgeable in hazardous waste incineration. The report must be submitted to the Department within 15 days of the 50th cutoff.

(9) The Permittee shall report all process deviations from allowed operating limits listed in the permit and a summary of operations in a monthly report. This report must be filed by 21st of the following month with the appropriate office of NYSDEC. If the 21st falls on weekend or legal holiday, monthly report is to be filed by following Monday or first day after the legal holiday, respectively. At a minimum, the report must address the following items:

a. Process Operating Summary for each of kilns

- start & end time and hours the unit was operated with hazardous waste (LLGF)
- brief explanation of the reasons for downtime

b. Continuous Monitor Operating Summary for each of kilns

- for each parameter exceeding the Automatic Waste Feed Cutoff (AWFCO) limit set forth in Condition D(3) and/or Operational cutoffs (i.e. OPCOs- cutoffs initiated prior to reaching AWFCO limit) during the calender month, list the following:

* parameter
* whether the cutoff resulted from activation of AWFCO or OPCO system
* AWFCO and/or OPCO limit, as applicable

* number of AWFCOs and/or OPCOs, as applicable
* number of AWFCOs and/or OPCOs, for the calender year to date
* cause of each AWFCOs and/or OPCOs
* corrective action taken for each AWFCOs and/or OPCOs
* duration, start and end time and date of each AWFCOs and/or OPCOs

- for the CO and O_2 monitors found to exceed the acceptable drift range during an audit or a daily span check, list the following:

* parameter
* date
* indicated drift
* corrective action performed

c. Feed Rate Summary (while burning LLGF only & LLGF with On & Off-Specification Used oil, Waste Fuel A, Comparable fuel, natural gas, diesel, kerosene, Fuel Oil # 2,4 & 6) for each of kilns

(i) For each batch of raw shale, hazardous waste (i.e. LLGF), and oils Off-Specification Used oil & Waste Fuel A fed to each of the LWAKs provide:

- amount of each feed mentioned above burned in the kilns
- flow rates of the feed mentioned above,
- start and end time of each feeds,
- concentrations of metals (mentioned in condition C(6)) & total halogens,
- heat content of each feed stream (except raw shale),
- specific gravity (for feeds whose flow rates are measured in volume),
- total mass feed rate of metals (mentioned in condition C(6)) and total halogen (in lb/hr) fed to the kiln, and
- total thermal input (in MMBtu/hr)

(ii) For each batch of On Specification Used oil, Comparable fuel, natural gas, diesel, kerosene, Fuel Oil # 2,4 & 6 fed to each of the LWAKs provide:

- start and end time of each feeds,
- specific gravity (for feeds whose flow rates are measured in volume),
- heat content of each feed stream,
- total thermal input (in MMBtu/hr),
- total mass feed rate of metals (mentioned in condition C(6)) and total halogen (in lb/hr) fed to the kiln, if the total mass feed rates from each of the these streams is greater than 1.0% of the permitted feed rates mentioned in 3rd column of condition C(6) & condition C(3) respectively.

d. for Off-Specification Used oil/Waste Fuel A (while burning in the absence of LLGF) burnt in each of the kilns provide:

EXHIBIT "D"

	Kiln #		**Norlite Corporation**				Test Start:	
INSIDE	Date:		**WFCO TESTING PARAMETERS**				Test End:	
Burner Goes to Gas	**PARAMETER**		**ALARM SETPOINT**	**CUTOFF**	**OPL**	**STATUS**	**NORLITE SIGN OFF / DATE**	**NYS DEC SIGN OFF / DATE**
MACT OPL	**CARBON MONOXIDE - LGF (hra)**		**60 ppm**	**75 ppm**	**100 ppm @ 7% O_2**	Alarm		DEC sign off is Not Applicable.
						CUTOFF		
						OPL		
RCRA OPL	**HIGH CO @ BAGHOUSE OUTLET (HRA)**		60 ppm	75 ppm	100 ppm @ 7% O_2	Alarm		
						CUTOFF		
						OPL		
RCRA OPL	**HIGH USED OIL CO (HRA)**		400 ppm	500 ppm		Alarm		
						CUTOFF		
RCRA OPL	**HIGH USED OIL FEED RATE** *(setpoint @ 5.0)*		4.5 gpm	5.0 gpm		Alarm		
						CUTOFF		
Burner Goes to Spec. Oil								
MACT OPL	**MAXIMUM TOTAL WASTE (LGF) FEED RATE (hra)**		**9 gpm**	**10.3**	**10.3**	Alarm		
						CUTOFF		
						OPL		
MACT OPL	**MAXIMUM PUMPABLE WASTE FEED RATE (hra)**		**9 gpm**	**10.3 gpm**	**10.3 gpm**	Alarm		
						CUTOFF		
						OPL		
RCRA OPL	**LGF FEED RATE (HRA)**		**9.0 gpm**	**10.3 gpm**	**10.3 gpm**	Alarm		
						CUTOFF		
						OPL		
MACT SPAN	**TOTAL WASTE (LGF) FEED RATE**		**0-20 gpm**	**19 gpm**	**20 gpm**	CUTOFF		
						OPL		
MACT OPL	**MAXIMUM KILN PRESSURE ("w.c.) (instantaneous)**		**Not Active, See Last Page**			Alarm		
						CUTOFF		
						OPL		
RCRA OPL	**KILN PRESSURE ("w.c.) (instantaneous)**					Alarm		
						CUTOFF		
						OPL		
MACT SPAN	**KILN PRESSURE ("w.c.)**		**See Last Page**			CUTOFF		
						OPL		
	HIGH COMBUSTION GAS VELOCITY (ID FAN AMPS - HRA)		**NO CUTOFF LIMITS**					
						Rev. 3/05, 5/05, 10/05, 02/08, 06/08, 12/08, 10/09, 09/10, 03/11		PAGE 1

MAKE SURE PRINTER IS PRINTING ZERO'S FOR LGF MRA

Norlite Corporation

WFCO TESTING PARAMETERS, CONTINUED

INSIDE	PARAMETER	ALARM SETPOINT	CUTOFF	OPL	STATUS	NORLITE SIGN OFF / DATE	NYS DEC SIGN OFF / DATE
MACT OPL	MAXIMUM SHALE FEED RATE (hra)	21.0 tph	21.0 tph	22.0 tph	Alarm CUTOFF OPL		DEC sign off is Not Applicable.
RCRA OPL	HIGH SHALE FEED RATE TPH (HRA)	21	21	22	Alarm CUTOFF OPL		
RCRA OPL	SHALE FEED	0	Off 25 mins.	Off 25 mins.	Alarm CUTOFF OPL		
MACT SPAN	SHALE FEED RATE	0-40 tph	35 tph	40 tph	CUTOFF OPL		
MACT OPL	MINIMUM SCRUBBER LIQUID pH (hra) METER: A B	(1) 8.2	(2) 8.1	(3) 8.0	Alarm CUTOFF OPL		
RCRA OPL	LOW RECYCLE TANK pH (HRA) *PROBE A B*	(1) 8.2	(3) 8	(4) 7.9	Alarm CUTOFF OPL		
MACT SPAN	SCRUBBER LIQUID pH METER: A B	3.5 - 10.5	10.0	10.5	CUTOFF OPL		
MACT OPL	MINIMUM SCRUBBER BLOWDOWN RATE (hra)	(4) 15.5 gpm	(5) 15.2 gpm	(6) 15.0 gpm	Alarm CUTOFF OPL		
RCRA OPL	MINIMUM SCRUBBER BLOWDOWN RATE (hra)	(1) 17.0 gpm	(2) 16.3 gpm	(3) 16.2 gpm	Alarm CUTOFF OPL		
MACT SPAN	KILN 1 SCRUBBER BLOWDOWN RATE KILN 2	0-50 gpm 0-67 gpm	45 gpm 52 gpm	50 gpm 67 gpm	CUTOFF OPL		
MACT OPL RCRA OPL	MINIMUM LGF ATOMIZATION PRESSURE (hra) (psig)	60 psi	54 psi	52 psi	Alarm CUTOFF OPL		
MACT SPAN	LGF ATOMIZING AIR PRESSURE (psi) (hra)	0-200	180	200	CUTOFF OPL		
RCRA OPL	LGF LINE PRESSURE (psig) (HRA)	40	37	<35	Alarm CUTOFF OPL		

Do in the order that they are numbered

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Norlite Corporation

WFCO TESTING PARAMETERS, CONTINUED

	PARAMETER	ALARM SETPOINT	CUTOFF	OPL	STATUS	NORLITE SIGN OFF / DATE	NYS DEC SIGN OFF / DATE
MACT OPL RCRA OPL	MINIMUM VENTURI PRESSURE DROP (hra)	3.5" w.c.	3.2" w.c.	2.9" w.c.	Alarm CUTOFF OPL		DEC sign off is Not Applicable.
MACT SPAN	VENTURI PRESSURE DROP	0.0" -10" w.c.	9.8" w.c.	10.0" w.c.	CUTOFF OPL		
RCRA OPL	DUCON PRESSURE DROP (HRA)	2.0"	1.8"	<1.5"	Alarm CUTOFF OPL		
MACT OPL	MINIMUM SCRUBBER TANK LIQUID LEVEL (hra) (% OF TANK HEIGHT)	47%	45%	43%	Alarm CUTOFF OPL		
MACT SPAN	SCRUBBER TANK LIQUID LEVEL (% OF TANK HEIGHT)	0-100%	95%	100%	CUTOFF OPL		
RCRA OPL	STACK GAS FLOW RATE (wet scfm) (HRA)	44,500	44,750	45,000	Alarm CUTOFF OPL		
MACT SPAN	STACK GAS FLOW RATE (wet scfm)	0-86,000 wscfm	82,000 wscfm	86,000 wscfm	CUTOFF OPL		
MACT OPL	MINIMUM LIQUID TO GAS RATIO (gpm/1000 scfm)	4.2	4.1	4.0	Alarm CUTOFF OPL		
MACT OPL RCRA OPL	MINIMUM LIME FEED RATE (lb/hr) (hra) (both wfco keys in and in wfco mode)	290	280	270	Alarm CUTOFF OPL		
MACT SPAN	LIME FEED RATE (lb/hr) Feeder # ____	0-500	450	500	CUTOFF OPL		
MACT OPL	MINIMUM LIME CARRIER FLOW RATE (cfm) Blower # ___	200	175	152	Alarm CUTOFF OPL		
MACT SPAN	LIME CARRIER FLOW RATE (cfm)	0-300	280	300	CUTOFF OPL		
RCRA OPL	LIME FEED		Off		CUTOFF		

Take RCRA WFCO key out and put into LIME WFCO slot. Both WFCO keys in (MACT and LIME) and both in WFCO mode.

RCRA will automatically trip while you are doing the MACT LIME WFCO's.

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Rev. 3/05, 5/05, 10/05, 02/08, 06/08, 12/08, 10/09, 09/10, 03/11

Norlite Corporation

WFCO TESTING PARAMETERS, CONTINUED

I & E now goes outside.	PARAMETER	ALARM SETPOINT	CUTOFF	OPL	STATUS	NORLITE SIGN OFF / DATE	NYS DEC SIGN OFF / DATE
MACT OPL	MINIMUM KILN BACK-END TEMPERATURE (hra)	(4) 876 °F	(5) 871 °F	(6) 866 °F	Alarm / CUTOFF / OPL		DEC sign off is Not Applicable.
MACT SPAN	KILN BACK-END TEMPERATURE	0-1400 °F	(10) 1300 °F	(11) 1400 °F	CUTOFF / OPL		
RCRA OPL	low temp (HRA) (RCRA)	(1) 910 °F	(2) 905 °F	(3) 896 °F	Alarm / CUTOFF / OPL		
	high temp (HRA) (RCRA)	(7) 1010 °F	(8) 1022 °F	(9) 1030 °F	Alarm / CUTOFF / OPL		
MACT OPL RCRA OPL	HEAT EXCHANGER EXIT TEMPERATURE (hra)	448 °F	450 °F	453 °F	Alarm / CUTOFF / OPL		
MACT SPAN	HEAT EXCHANGER EXIT TEMPERATURE	0-700 °F	650 °F	700 °F	CUTOFF / OPL		
MACT OPL RCRA OPL	MAXIMUM BAGHOUSE INLET TEMPERATURE (hra) (manual)	390 °F	397 °F	399 °F	Alarm / CUTOFF / OPL		
MACT SPAN	BAGHOUSE INLET TEMPERATURE	0-700 °F	600 °F	700 °F	CUTOFF / OPL		
RCRA OPL	BAGHOUSE PRESSURE DROP (HRA)	5.6" H_2O	5.3" H_2O	5.1" H_2O	Alarm / CUTOFF / OPL		
RCRA OPL	SCRUBBER WATER RECIRCULATION FLOW LOW (HRA) *Pump: A B*	194 gpm	190 gpm	<180 gpm	Alarm / CUTOFF / OPL		
MACT SPAN	SCRUBBER RECIRCULATION RATE PUMP: A B	0-250 gpm	245 gpm	250 gpm	CUTOFF / OPL		

do in the order that they are numbered. HRA's first, then go to normal mode and do OMA's

Make sure WFCO keys are back to WFCO mode before you do HX

be sure to set mode to Manual for baghouse wfco, then set back to Auto when completed.

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Norlite Corporation

WFCO TESTING PARAMETERS, CONTINUED

	PARAMETER	ALARM SETPOINT	CUTOFF	OPL	STATUS	NORLITE SIGN OFF / DATE	NYS DEC SIGN OFF / DATE
MACT OPL RCRA OPL	KILN PRESSURE ("w.c.) Simultaneous Instantaneous (Front & Chamber)	-0.03" H_2O	0.00"	0.00"	Alarm CUTOFF OPL		
MACT OPL RCRA OPL	KILN PRESSURE ("w.c.) Front end Delayed 3 sec	-0.08" H_2O	-0.05"	-0.05"	Alarm CUTOFF OPL		
MACT OPL RCRA OPL	KILN PRESSURE ("w.c.) Front end Delayed 1 sec	-0.03" H_2O	0.00"	0.00"	Alarm CUTOFF OPL		
MACT OPL RCRA OPL	Chamber PRESSURE ("w.c.) Delayed 1 sec	-0.03" H_2O	0.00"	0.00"	Alarm CUTOFF OPL		
MACT OPL RCRA OPL	Chamber PRESSURE ("w.c.) (HRA)	-0.11" H_2O	-0.08"	-0.08"	Alarm CUTOFF OPL		
MACT SPAN	Front KILN PRESSURE ("w.c.)	-2.0 to +1.0	-1.8, +0.8	-2.0, +1.0	CUTOFF OPL		
MACT SPAN	Back Chamber PRESSURE ("w.c.)	-2.0 to +1.0	-1.8, +0.8	-2.0, +1.0	CUTOFF OPL		
MACT OPL RCRA OPL	Kiln 1 Optical Flow Sensor (SCFM)	37,500	38,000	38,000	CUTOFF OPL		
MACT SPAN	Kiln 1 Optical Flow Sensor (SCFM)	0	0	0	CUTOFF OPL		

Put Chamber Valve in Manual Mode Before Testing This System

Rev. 3/05, 5/05, 10/05, 02/08, 06/08, 12/08, 10/09, 09/10, 03/11

EXHIBIT "E"

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Air Resources, Bureau of Stationary Sources
625 Broadway, Albany, New York 12233-3254
P: (518) 402-8403 | F: (518) 402-9035
www.dec.ny.gov

Mr. Prince Knight
Laboratory Manager
Tradebe Environmental Services/Norlite Corporation
628 South Saratoga Street
Cohoes, NY 12047

July 9, 2015

Re: Notice of Approval of the Norlite 2015 Comprehensive Performance Test Plan (CPT)
Public Notice Requirement/DEC ID#4-0103-00016/00048

Dear Mr. Knight:

The Department has reviewed the Norlite latest revised CPT plan dated July 9, 2015. The test is designed to demonstrate compliance with the Maximum Achievable Control Technology (MACT) for the Hazardous Waste Combustors Rule promulgated by the United States Environmental Protection Agency (USEPA), specifically 40 CFR Part 63 Subpart EEE. This plan includes tests for the destruction and removal efficiency (DRE) of organic hazardous air pollutants and for air emissions of toxic metals, dioxin/furans and hydrochloric acid/chlorine while incinerating waste oils and off-site liquid hazardous wastes. The plan includes a performance evaluation (PE) for the continuous monitoring systems (CMSs) and for the Continuous Emissions Monitors (CEMs).

The Department hereby approves the plan. In accordance with 40 CFR Part 63.1207(e)(2), Norlite must issue a public notice announcing the approval of the test plan and a 60-day period in which the plan will be made available for public review. Please find enclosed a copy of the public notice to be published in a local newspaper. Norlite must provide the Department with proof of such notice. Norlite must arrange to have a copy of the approved CPT plan available for review by interested persons during the 60 day public notice period at the Cohoes Public Library, 169 Mohawk Street, Cohoes, NY 12047. In addition, Norlite must forward a copy of this notice to persons on its facility/public mailing list.

If you have any questions regarding the public notice requirements, please contact me at 518-408-5574.

Sincerely,

Denise Prunier, P.E.
Environmental Engineer 2
Enforcement Section
Bureau of Stationary Sources
Division of Air Resources

Enclosure

Table 2-2 Current MACT OPLs for the Norlite LWAK Combustion Systems

Process Parameter	Units	Avg. Period (a)	How Limit Established	Current Limit
Maximum Total (and Pumpable) Hazardous Waste Feed Rate	gpm	1-hr (HRA)	Avg. of **max. HRA** for each run	10.3
Minimum LLGF Feed Atomization Pressure	psig	1-hr (HRA)	Manufacturer's recommendation	52.0
Minimum Kiln Back-end Temperature	°F	1-hr (HRA)	Avg. of the test run averages	866
Maximum Heat Exchanger Exit Temperature	°F	1-hr (HRA)	Avg. of the test run averages	453
Maximum Flue Gas Flow Rate	wet scfm	1-hr (HRA)	Avg. of **max. HRA** for each run	45,000
Maximum Kiln Production Rate (Shale Feed Rate)	tph	1-hr (HRA)	Avg. of **max. HRA** for each run	22.0
Maximum Total Chlorine Feed Rate	lb/hr	12-hr (RA)	Avg. of the test run averages	82.3
Maximum Total Mercury Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	0.036
Maximum Total LVM (As, Be & Cr) Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	16.6
Maximum Total Pumpable LVM (As, Be & Cr) Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	5.55
Maximum Total SVM (Cd & Pb) Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	29.3
Maximum CO concentration corrected to 7% oxygen	ppm	1-hr (HRA)	Regulatory Citation	100

Notes:

(a) HRA = hourly rolling average; RA = rolling average

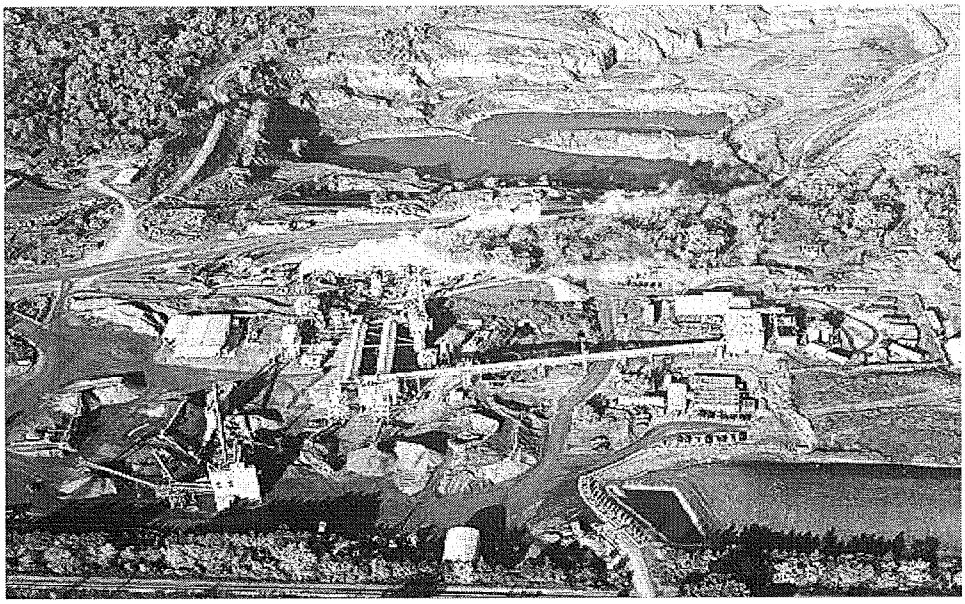
AECOM Environment

Prepared for:
Norlite LLC
628 South Saratoga St.
Cohoes, NY 12047

Prepared by:
AECOM
Chelmsford, MA
60333912-100
November 18, 2014

MACT Comprehensive Performance Test Plan for Lightweight Aggregate Kilns 1 and 2

Revision 0



A ROTARY KILN
Norlite
EXPANDED SHALE AGGREGATE

AECOM Environment

Prepared for:
Norlite LLC
628 South Saratoga St.
Cohoes, NY 12047

Prepared by:
AECOM
Chelmsford, MA
60333912-100
November 18, 2014

MACT Comprehensive Performance Test Plan for Lightweight Aggregate Kilns 1 and 2

Revision 0

Prepared By: Douglas R. Roeck

Reviewed By: Robert M. Iwanchuk

2.0 System Operating Parameters

2.1 Operating Parameters Overview

The OPLs currently in place at Norlite are waived for the purposes of conducting all CPTs following the initial CPT as per 40 CFR 63.1207(h)(1). Norlite does intend to establish new limits for all parameters as a result of the November 2015 test. Even though DRE testing is not technically required because no modifications have been made to the combustion system since the previous CPT, the current OPLs that ensure compliance with the DRE standard (maximum hazardous waste feed rate, minimum firebox temperature, maximum production rate and minimum waste feed atomization pressure) will be re-established as a result of the 2015 CPT.

Target operating conditions for the 2015 CPT are provided subsequently in Section 2.3. The OPLs discussed below are based on the provisions of the HWC MACT regulations in 40 CFR 63 Subpart EEE. Most of the parameters result from the operating and monitoring data demonstrated during the CPT. However, several limits are based on regulatory guidance, manufacturer's recommendations and/or good operating practice.

Table 2-1 provides an overview of the specific OPLs required, the applicable regulatory citation and the MACT performance standard with which each specific OPL ensures compliance. **Table 2-2** provides a summary of the current limits in place at Norlite along with the measurement basis and the manner in which the OPL limit will be determined from the test results.

Table 2-1 MACT Operating Parameter Matrix Applicable to LWAKs

Process Parameter	Regulatory Citation	Ensures Compliance with these MACT Performance Standards
Maximum Total (and Pumpable) Hazardous Waste Feed Rate	63.1209(j)(3) and 63.1209(k)(4)	DRE and PCDDs/PCDFs
Minimum Combustion Chamber Temperature	63.1209(j)(1) and 63.1209(k)(2)	DRE and PCDDs/PCDFs
Maximum Production Rate	63.1209(j)(2); 63.1209(k)(3)	DRE and PCDDs/PCDFs
Maximum Flue Gas Flow Rate	63.1209(m)(2); 63.1209(n)(5) and 63.1209(o)(2)	PM, SVM, LVM and HCl/Cl_2
OPLs that ensure good operation of the waste firing system (i.e., minimum waste feed atomization pressure)	63.1209(j)(4)	DRE
Maximum Inlet Temperature to a Dry PM Control Device	63.1209(k)(1) and 63.1209(n)(1)	PCDDs/PCDFs, SVM and LVM
PM Control Device Limits	63.1209(n)(3)	SVM and LVM
Wet Scrubber Control Device Limits	63.1209(o)(1), (o)(2) and (o)(3)	PM, Hg and HCl/Cl_2
Dry Scrubber Control Device Limits	63.1209(o)(4)	HCl/Cl_2
Maximum Total Mercury Feed Rate	63.1209(l)(1)	Hg
Maximum Total SVM Feed Rate	63.1209(n)(2)	SVM
Maximum Total LVM Feed Rate	63.1209(n)(2)	LVM
Maximum Total Chlorine Feed Rate	63.1209(n)(4) and 63.1209(o)(1)	SVM, LVM and HCl/Cl_2

Table 2-2 Current MACT OPLs for the Norlite LWAK Combustion Systems

Process Parameter	Units	Avg. Period (a)	How Limit Established	Current Limit
Maximum Total (and Pumpable) Hazardous Waste Feed Rate	gpm	1-hr (HRA)	Avg. of **max. HRA** for each run	10.3
Minimum LLGF Feed Atomization Pressure	psig	1-hr (HRA)	Manufacturer's recommendation	52.0
Minimum Kiln Back-end Temperature	°F	1-hr (HRA)	Avg. of the test run averages	866
Maximum Heat Exchanger Exit Temperature	°F	1-hr (HRA)	Avg. of the test run averages	453
Maximum Flue Gas Flow Rate	wet scfm	1-hr (HRA)	Avg. of **max. HRA** for each run	45,000
Maximum Kiln Production Rate (Shale Feed Rate)	tph	1-hr (HRA)	Avg. of **max. HRA** for each run	22.0
Maximum Total Chlorine Feed Rate	lb/hr	12-hr (RA)	Avg. of the test run averages	82.3
Maximum Total Mercury Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	0.036
Maximum Total LVM (As, Be & Cr) Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	16.6
Maximum Total Pumpable LVM (As, Be & Cr) Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	5.55
Maximum Total SVM (Cd & Pb) Feed Rate	lb/hr	12-hr (RA)	Metals Extrapolation	29.3
Maximum CO concentration corrected to 7% oxygen	ppm	1-hr (HRA)	Regulatory Citation	100

Notes:

(a) HRA = hourly rolling average; RA = rolling average

Table 2-3 Current MACT OPLs for the LWAK Air Pollution Control Systems

Process Parameter	Units	Avg. Period (a)	How Limit Established	Current Limit
Maximum Baghouse Inlet Temperature	°F	1-hr (HRA)	Avg. of the test run averages	399
Minimum Venturi Pressure Drop	in. w.c.	1-hr (HRA)	Avg. of the test run averages	2.9
Minimum Scrubber Blowdown Rate	gpm	1-hr (HRA)	Avg. of the test run averages	15.0
Minimum Scrubber Tank Liquid Level	% Ht.	1-hr (HRA)	Avg. of the test run averages	43
Minimum Scrubber Recirculation Rate	gpm	1-hr (HRA)	Avg. of the test run averages	180
Minimum Scrubber Liquid to Gas Ratio	gal/10^3 ft^3	1-hr (HRA)	Avg. of the test run averages	4.0
Minimum Scrubber Liquid pH	pH units	1-hr (HRA)	Avg. of the test run averages	8.0
Minimum Dry Sorbent Feed Rate	lb/hr	1-hr (HRA)	Avg. of the test run averages	270
Minimum Dry Sorbent Carrier Fluid Flow Rate	cfm	1-hr (HRA)	Avg. of the test run averages	152

Notes:

(a) HRA = hourly rolling average

2.2 Establishment of Operating Parameter Limits

The permit limits for each of the control parameters are established as specified in the HWC MACT regulations given in 40 CFR 63.1209. The following sections describe how each control parameter limit is established.

2.2.1 Parameters Demonstrated During the CPT

2.2.1.1 Maximum Total Hazardous Waste Feed Rate [40 CFR 63.1209(j(3) and (k)(4)]

The maximum total hazardous waste feed rate operating limit is established for maintaining compliance with the DRE and dioxin/furan emission standards. Since Norlite feeds only a single hazardous waste liquid stream to the combustor, total hazardous waste feed rate and total pumpable hazardous waste feed rate are the same. The limit is established as an HRA limit from the average of the maximum HRAs demonstrated during the CPT.

2.2.1.2 Maximum Total Metal Feed Rates [40 CFR 63.1209(l)(1) and (n)(2)]

The maximum metal feed rate operating limits are established to maintain compliance with the mercury, SVM and LVM emission standards. Because the waste normally treated in the combustor contains varying levels of native regulated metals, Norlite plans to fortify the LLGF feed tank with metal solutions designed to raise the metal concentrations. The metal feed rate limit for each constituent is then determined by extrapolation using the system removal efficiency (SRE) for each

surrogate metal. The calculated feed rate limit for mercury, LVM and SVM is expressed as a 12-hour RA. The maximum total metal feed rates include the target metals introduced in the shale feed.

2.2.1.3 Maximum Total Pumpable LVM Feed Rate [40 CFR 63.1209(n)(2)(vi)]

A separate limitation on maximum pumpable LVM feed rate is will be calculated to include metals introduced by the LLGF.

2.2.1.4 Maximum Total Chlorine Feed Rate [40 CFR 63.1209(n)(4) and (o)(1)]

The maximum total chlorine/chloride feed rate operating limit is established to maintain compliance with the SVM, LVM, and HCl/Cl_2 emission standards. The total feed rate of chlorine/chloride is monitored on a continuous basis by knowing the concentration in the LLGF and shale feed streams. The calculated total chloride feed rate limit is expressed as a 12-hour RA.

2.2.1.5 Minimum Kiln Back-End Temperature [40 CFR 63.1209(j(1) and (k)(2)]

The minimum kiln back-end temperature operating limit is established for maintaining compliance with the DRE and dioxin/furan emission standards. Kiln temperature is monitored on a continuous basis and the limit for the combustor is established as an hourly rolling average (HRA) equal to the average of the test run average values. Though not required for MACT, the maximum back-end temperature will be recorded and reported for RCRA compliance purposes.

2.2.1.6 Maximum Heat Exchanger Exit Temperature [40 CFR 63.1209(k)(1)(ii)]

The maximum heat exchanger exit temperature operating limit is established for maintaining compliance with the dioxin/furan emission standard. The heat exchanger exit temperature is monitored on an HRA basis and the operating limit is established as the average of the test run averages observed during the CPT.

2.2.1.7 Maximum Flue Gas Flow Rate [40 CFR 63.1209(j(2), (k)(3), (m)(2), (n)(5), (o)(2)]

For this facility, the maximum flue gas flow rate operating limit is established for maintaining compliance with the SVM, LVM, PM, and HCl/Cl_2 emission standards. Maximum flue gas flow rate is established as an appropriate surrogate for gas residence time in the combustion chamber and is monitored on an HRA basis. The maximum flue gas flow rate is established as the average of the maximum HRAs observed during the CPT.

2.2.1.8 Maximum Kiln Production Rate (Shale Feed Rate) [40 CFR 63.1209(j(2), (k)(3), (m)(2), (n)(5), (o)(2)]

For this facility, the maximum kiln production rate operating limit is established for maintaining compliance with the DRE and dioxin/furan emission standards. Maximum kiln production rate (shale feed rate) is established as an appropriate surrogate for gas residence time in the combustion chamber and is monitored on an HRA basis. The maximum kiln production rate is established as the average of the maximum HRAs observed during the CPT.

2.2.1.9 Maximum Baghouse Inlet Temperature [40 CFR 63.1209(k)(1), (n)(1)]

The maximum baghouse inlet temperature operating limit is established for maintaining compliance with the dioxin/furan, SVM and LVM emission standards. The baghouse inlet temperature is monitored on a continuous basis. The maximum baghouse inlet temperature limit for the combustor is established as an HRA equal to the average of the test run averages during the CPT.

2.2.1.10 Minimum Limits for Wet Scrubber Operating Variables [40 CFR 63.1209(o)(1-3)

Minimum operating limits for Norlite's high energy venturi scrubber include pressure drop, blowdown rate, scrubber tank liquid level, recirculation rate, liquid to gas ratio and scrubber liquid pH. These parameters are monitored on a continuous basis to ensure compliance with the PM, mercury and HCl/Cl_2 emission standards. The operating limits for each parameter are established as the average of the test run averages observed during the CPT. Though not required for MACT compliance, the pressure drop across the Ducon scrubber will be recorded and reported for RCRA compliance purposes.

2.2.1.11 Minimum Limits for Dry Scrubber Operating Variables [40 CFR 63.1209(o)(4)

Minimum operating limits for Norlite's dry scrubbing system include dry sorbent feed rate and dry sorbent carrier fluid flow rate. These parameters are monitored on a continuous basis to ensure compliance with the HCl/Cl_2 emission standards. The operating limits for each parameter are established as the average of the test run averages observed during the CPT.

2.2.2 Parameters Established by Regulatory Requirements

2.2.2.1 Maximum Stack Gas CO Concentration [40 CFR 63.1203(b)(5)(i)]

The maximum hourly rolling average stack gas CO concentration will be maintained at or below 100 ppmv corrected to 7% oxygen (dry basis) during the CPT and at all other times when firing hazardous waste.

2.2.3 Parameters Established by Manufacturer's Recommendations, Operational Safety and/or Good Operating Practice

2.2.3.1 Fugitive Emissions Control [40 CFR 63.1206(c)(5)(i)(A), 63.1209(p)]

Norlite's LWAK units are sealed systems operating under negative pressure. Daily inspections are performed to ensure that fugitive emissions do not occur. Corrective actions taken in such an event are fully described in the SSMP developed and placed in the operating record prior to October 14, 2008.

2.2.3.2 Operation of Waste Firing System [40 CFR 63.1209(j)(4)]

This regulation stipulates that facilities should specify operating limits to ensure that good operation of the firing system is maintained to ensure compliance with the DRE standard. To satisfy this requirement, Norlite previously established a minimum waste feed atomization pressure during the initial CPT. The minimum atomization pressure limit for the combustor is established based on the manufacturer's recommendation and as an HRA equal to the average of the test run averages for the CPT.

Table 2-1 MACT Operating Parameter Matrix Applicable to LWAKs

Process Parameter	Regulatory Citation	Ensures Compliance with these MACT Performance Standards
Maximum Total (and Pumpable) Hazardous Waste Feed Rate	63.1209(j)(3) and 63.1209(k)(4)	DRE and PCDDs/PCDFs
Minimum Combustion Chamber Temperature	63.1209(j)(1) and 63.1209(k)(2)	DRE and PCDDs/PCDFs
Maximum Flue Gas Flow Rate or Production Rate	63.1209(j)(2); 63.1209(k)(3); 63.1209(m)(2); 63.1209(n)(5) and 63.1209(o)(2)	DRE, PCDDs/PCDFs, PM, SVM, LVM and HCl/Cl_2
OPLs that ensure good operation of the waste firing system (i.e., minimum waste feed atomization pressure)	63.1209(j)(4)	DRE
Maximum Inlet Temperature to a Dry PM Control Device	63.1209(k)(1) and 63.1209(n)(1)	PCDDs/PCDFs, SVM and LVM
PM Control Device Limits	63.1209(n)(3) and 63.1209(m)(1)(ii)	PM, SVM and LVM
Wet Scrubber Control Device Limits	63.1209(o)(1), (o)(2) and (o)(3), 63.1209(m)(1)(i)	PM, Hg and HCl/Cl_2
Dry Scrubber Control Device Limits	63.1209(o)(4)	HCl/Cl_2
Maximum Total Mercury Feed Rate	63.1209(l)(1)	Hg
Maximum Total SVM Feed Rate	63.1209(n)(2)	SVM
Maximum Total LVM Feed Rate	63.1209(n)(2)	LVM
Maximum Total Chlorine Feed Rate	63.1209(n)(4) and 63.1209(o)(1)	SVM, LVM and HCl/Cl_2

Table 4-1 Current AWFCO Operating Limits

Process Parameter	Units	Basis [a]	Current Alarm Set Point	Current AWFCO Limit
LLGF Feed Rate	gpm	HRA	9.0	> 10.3
Pumpable LLGF Feed Rate	gpm	HRA	9.0	> 10.3
Minimum Back-end Temperature	°F	HRA	910	< 896
Maximum Back-end Temperature	°F	HRA	1,010	> 1,030
CO Concentration at the Baghouse Outlet Corrected to 7% O_2	ppm, dry basis	HRA	60	> 100
Maximum Stack Gas Flowrate for Kiln 2	Wet scfm	HRA	44,500	> 45,000
Maximum Stack Gas Flowrate for Kiln 1	Wet scfm	HRA	37,500	> 38,000
Maximum Kiln Pressure, 3 sec delay	in. w.c.	INST	- 0.08	< - 0.05
Kiln Pressure, 1 sec delay	in. w.c.	INST	-0.03	> 0.00
Maximum Rear Chamber Pressure	in. w.c.	HRA	-0.11	< -0.08
Rear Chamber Pressure, 1 sec delay	in. w.c.	INST	-0.03	> 0.00
Simultaneous Kiln Pressure & Rear Chamber Pressure	in. w.c.	INST	-0.03	> 0.00
Minimum Baghouse Pressure Drop	in. w.c.	HRA	5.6	< 5.1
Minimum Scrubber Water Recirculation Rate	gpm	HRA	194	< 180
Maximum Heat Exchanger Exit Temperature	°F	HRA	448	> 453
Maximum Baghouse Inlet Temperature	°F	HRA	390	> 400
Maximum Shale Feed Rate	tph	HRA	21.0	22.0
Minimum Lime Feed Rate	lb/hr	N/A	290	< 270
Minimum Recirculation Tank pH	pH	HRA	8.2	< 7.9
Minimum Venturi Pressure Drop	in. w.c.	HRA	3.5	< 6.1
Minimum Ducon Unit Pressure Drop	in. w.c.	HRA	2.0	< 3.7
Scrubber Water Blow Down	gpm	HRA	17	< 16.2
LLGF Line Pressure	psig	HRA	40	< 35
LLGF Atomization Pressure	psig	HRA	60	< 52
Maximum Mercury Feedrate	lb/hr	12 hr RA	na	0.008
Maximum Semi-Volatile Metals Feedrate (Pb & Cd)	lb/hr	12 hr RA	na	6.72
Maximum Low-Volatile Metals Feedrate (As, Be & Cr)	lb/hr	12 hr RA	na	8.96
Minimum Scrubber Tank Liquid Level	% Ht	HRA		58.0
Maximum Total Chlorine Feedrate	lb/hr	12 hr RA	na	82.3
Minimum Sorbent Carrier Fluid Flowrate	scfm	HRA		151.8

[a] HRA = Hourly Rolling Average; INST = Instantaneous